vails. I want the Minister kindly to look into it and give me an answer and see that in future such things do not happen.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2.30 p.m.

The House then adjourned for lunch at twenty-nine minutes past one of the clock.

The House reassembled after lunch at thirty-two minutes past two of the clock, **Mr. Deputy Chairman** in the Chair.

THE ESSENTIAL COMMODITIES (AMENDMENT) BILL, 1986

THE MINISTER OF PARLIAMENTARY AFFAIRS AND MINISTER OF FOOD AND CIVIL SUPPLIS (SHRI H. K. L. BHAGAT): Sir, I beg to move for leave to introduce a Bill further to amend the Essential Commodities Act, 1955.

The question was put and the motion was adopted.

SHRI H. K. L. BHAGAT: Sir, I introduce the Bill.

THE MINES AND MINERALS (REGULATION AND DEVELOPMENT) AMENDMENT BILL, 1986

THE MINISTER OF STEEL AND MINES (SHRI K. C. PANT): Sir, I beg to move:

> "That the Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957, be taken into consideration."

The Mines and Minerals (Regulation and Development Act, 1957 provides for the regulation and development of mines. The Act was last amended in 1972. Since then rapid strides have been made in the production and development of metallic and non-metallic minerals.

As the hon. Members are aware minerals provide the base for the stable and self-sustaining economic development of the country. Our country is fortunate in having large reserves of such important minerals like coal, iron-ore, bauxite, manganese-ore, lime-stone and many other minerals which are raw materials for basic metallurgical industries. As a result of the efforts made, new deposits have been discovered which have added to the mineral reserve.

In the process of mineral development over the past decade and a half, the Act has come in for much closer scrutiny. Suggestions have been received from time to time in various forums like the Mineral Advisory Council for amendment of the Act to bring it in tune with the changing socio-economic conditions of the country. Consultations have been held with the State Governments and their views have been given due consideration before giving the final shape to the proposed amendments.

The Amending Bill provides for simplification of the process of grant of prospecting licences and mining leases greater emphasis on scientific development, and operation of mines including due emphasis on prevention of degradation of the environment. In the very nature of things mining generally leads to the disturbance of the land surface, deforestation, and occasionally, water pollution. The existing laws which lay emphases on scientific mining do not provide as such for protection of the environment. This Bill seeks to remove that lacuna. Clause 3 of the Bill provides for premature termination of Prospecting Licence or Mining Lease if it is felt necessary in the interest of preserving the environment. Premature termination of a prospecting licence or a mining lease would also be attracted in case of failure to main tain safety in mines control of floods, prevention of pollution etc.

Minerals form a wasting asset. It is therefore, necessary to provide for their extraction in a scientific manner which will ensure their optimal recovery and prevention of wastage during the process of mining. This is sought to be achieved through this Bill by providing for the preparation

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of a mining plan which will also cover safety in mining operations and protection of the environment. The mining lease will be granted only on approval of the Mining Plan by the prescribed authority.

A prospective entrepreneur is at present required to obtain a certificate of approval as a pre-requisite for making an application for the grant of Prospecting Licence or Mining Lease This has been identified as an unnecessary hurdle which delays the process of application for prospecting licence or mining lease. It is, therefore, proposed to dispense with this requirement.

Many States have made the suggestion that the periodicity of the revision of rate of royalty on minerals and dead rent may be reduced from the present four years. It has been argued that a shorter period would be more appropriate in a rapidly changing economic scene. They have also suggested that the punishment for illegal mining should be made more stringent. The Amending Bill takes into account these suggestions. The revision period in the rates of royalty and dead rent is proposed to be reduced from four years to three years. Illegal mining is being made a cognizable offence attracting more stringent punishment.

The First Schedule to the Act contains a list of 26 minerals The approval of the Central Government is necessary before a prospecting licence or mining lease can be granted for these minerals. On the basis of the experience gained it has been found necessary that this list should be enlarged to include a number of other minerals which have assumed national importance. They are needed for the manufacture of refractories, chemicals or used as raw material in the manufacture of steel etc. Prominent among these are bauxite, barytes, kyanite, managanes sillimanite and dolomite, We also propose to include limestone in the First Schedule as it is an important raw material for the steel, cement and chemical industries. However, limestone used in the kilns for the manufacture of lime as building material has not been included in the schedule as it would cause undue hardship to a large number of users. In view of the harmful effects of asbestos on the health of workers engaged in its mining, it is necessary to keep a watch on and indeed discourage its expansion. It is, therefore, proposed to include asbestos in the First Schedule of the Act.

I now turn to amendments which have been proposed with a view to rationalise the grant and renewal of prospecting licences and mining leases. These are designed to ensure that an area covered by mining lease is developed into a producing mine at the earliest. Instances have come to notice where the mining operations are not commenced for a considerable length of time or discontinued with ' out a reasonable cause. A provision has, therefore, been made for lapsing of a mining lease if mining operations do not commence within a period of one year from the acquisition of mining leases or the mining operations are discontinued for a period of one year. It would discourage the cornering of areas and promote speedy development. To provide opportunities to new entrepreneurs to come forward and take to mining, the ceiling of area prescribed for obtaining Prospecting Licence or mining lease in respect of any one mineral in any one State will now become a ceiling for the whole country. In the circumstances, I now move the motion that the Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957, be taken into consideration.

The question was proposed.

DR. R. K. PODDAR (West Bengal): Mr Deputy Chairman, Sir, this piece of progressive legislation contains a few welcome features for which I sincerely congratulate our hon. Minister, Shri K. C. Pant. In our conventional wisdom, economic development is simply an expansion of industrial, agricultural or commercial

activities. We tend to ignore how such expanding economic activities might endanger our ecology and environment. As many of my esteemed colleagues in this House are aware the ancient civilisations, like those of the Sumer on the banks of the Tigris and the Euphrates or the Mahaenjodaro and the Harappa on the banks of the Indus met with total extinction because of their ignorance of long-term deleterious effects of destruction of the forests cover in the interest of the short-term gains for expanding agricultural pursuits. I am glad that one of the major objectives of this Bill through the newly inserted section 4 A (1) is to guard against the adverse effects of unscientific mining operations on our ecology and environment by empowering the State Governments to prematurely terminate prospecting licences and mining leases on these grounds. The modality of implementing this step, would be a 'request' from the Central Government to the State Government in this regard after consulting the latter. The State Government would also be able to exercise this power on its own in the case of some minor minerals, after of course, consultations with the Centre.

Sir, I would like to put a cautionary remark here. Under the prevailing Centre-State relations. We in the opposition would earnestly hope that our Hon'ble Minister should see to it that such consultations do not degenerate into those between an overlord and a subaltern as for example, in the case of appointment of Vice-Chancellors or the High Court Judges.

Sir, on another point the present Bill is an improvement on the existing Act. I am glad that the restrictive clause in the section 5 (1) prohibits the grant of mining lease and prospecting license to any company wherein the foreigners hold 40 per cent or more shares, instead of the existing limit of 49 per cent.

Sir, I would urge the Central Government to be a bit more courageous to ban completely the entry of foreign capital in these ventures. Such a step would greatly enhance the possibility of utilising the knowhow's generated by our Scientists and Technologists in the national laboratories such as the Mining Research Centre and the Fuel Research Institute of Dhanbad or the Central Mechanical Engineering Research Institute, Durgapur.

Now, let me express some of my misgivings. In the name of removing bottlenecks the necessity of obtaining a Certificate of Approval from the State Government and the Income-Tax clearance from the Central Government for the grant of prospecting licence and mining leases has been dispensed with. Such a step would obviously dilute the authority of the State Governments and encourage the owners of blackmoney. I would urge upon the hon. Minister to reconsider this step.

Lastly, Sir, I would like to mention that since the provisons of this Bill will be implemented through the State Governments, their financial position needs to be strengthened. At present, the Central Government give the State Governments royalties and cess on the basis of the quantity of the minerals produced but not on the value of these minerals. We all know, Sir, the prices of minerals have been increased by the Central Government by leaps and bounds during the past decades, while the prodution has obviously not increased in proportion. By this single device, the Central Government have denied the States, over these years, espcially the Eastern States like Assam, Bihar, Orissa, Tripura and West Bengal of their legitimate share of the national earnings in this regard I would therefore, reiterate our perennial demand that the Central Govt. should introduce without any further delay the system of payment of royalties and cess to the State Governments on the basis of the market value of the mineral produced and not on the total quantity of the minerals produced. Thank you.

SHRI P. N. SUKUL (Uttar Pradesh): Mr. Deputy Chairman, Sir, I welcome and wholeheartedly support this very important piece of legislation and I welcome it also because in fact, it was our own Committee on Petitions of Rajya Sabha which had recommended in its 78th Report that such amendments should be incorporated in the Original Act and so, in a way, we are also responsible for having this amendment and these are no doubt very welcome amendments. As per the existing law as the Act stands today. leases cannot be terminated on environmental and ecological considerations. Even if the mining operations interfere with the ecology or environment and disturb the environment, the Government is not empowered to terminate a mining lease and that is why, it was recommended that this power should be with the Government that even on environmental and ecological considerations, the Government should be in a position to terminate the lease of any mine, at any time and now it has been suggested that this amendment that is going to be effected in the Act is going to serve this end. So, I welcome this Bill.

Sir, there is no doubt about it that the mineral resources of a country play a very vital role in the development of a country. In our country, in the beginning of the century, there were only 14 minerals which were produced. The production of these minerals went up to 24 before our independence i.e. from 14 to 14 and it is a matter of great satisfaction for all of us that in 1986, as many as 64 minerals are being produced in our country and their production has gone a long way to help the process of development in our country. So, as I was saying, these mineral resources play a vital role in our development and that is why, we see today, there are gulf countries which are very rich because of oil resources. It is the oil that has made them rich and same is the case with North Korea which has also developed because of its gold resources. I went there and I was told about this and our country, as I was saying, has also made very rapid strides in that direction. Taking the case of coal, we produced 39 million tonnes of coal in 1955. In 1971, the production was of the order of 75 million tonnes. The target for 1985-86 was 154.5 million tonnes. And by the end of the Seventh Plan, it is expected that our production of coal will rise to a figure of 226 million tonnes. At that time. our own country's demand of coal will be 237 million tonnes.

Similarly as regards iron ore, in 1955 we produced only 4.7 million tonnes. In 1971 we produced 33 million tonnes of iron ore. The output projection for 1984-86 was 42.2 million tonnes. And at the end of the Seventh Plan, we are supposed to produce as much as 58.5 million tonnes of iron ore. Even at present our capacity to produce iron ore is of the order of 70 million tonnes. It is a matter of great pride and satisfaction to us that today as many as 20 countries are importing our iron ore.

Our country is very very rich in minerals and we have not yet been able to exploit and tap all the mineral resources. Much has been done but much still remains to be done.

It is said that our country has copper deposits of the order of 53 million tonnes. Our bauxite deposits are 200 million tonnes, which means that we stand third in the world in bauxite. In lead and zinc. the deposits are of the order of 360 million tonnes. As regards mica, our country today is producing 70 per cent of the mica sheets in the world.

Recently gold has been found at so many places in our country. Even in our Garhwal and Kumaon hills, in stream sediments, gold particles have been found.

SHRI K. C. PANT: Why "even"?

SHRI P. N. SUKUL: Because they have not been tapped very much so far. In a Survey it has been found that our age-old Panna diamond mines still have 5.3 lakh carats of diamond inside them. Recently in Gwalior a survey found that there is iron ore to the tune of 7.7 lakh tonnes. In Chhatrapur district of Madhya Pradesh, phosphorite is still there of the order of 170 lakh tonnes.

So, as I was saying, we are very very rich in mineral resources. We have also produced much, but, as I was saying, we have to produce much more if we want proper development of the country.

Today, excluding nuclear mines and petroleum, we have roughly 3,500 mines in the country, and as many as 7.5 lakh workers are engaged in these mines.

SHRI K. C. PANT: Excluding coal.

SHRI P. N. SUKUL: Yes, excluding coal. So we have to produce minerals, no doubt, to develop our country because minerals are so badly needed for so many chemicals and for so many other industries. But it has to be ensured that the mining operations do not go to disturb the environment, the ecology of the place As I was saying at the very outset, it is with a view to regulating this that an amendment is proposed in the Bill so that no miner can send our environmental ethics to the winds. What happens today? You go to Mussoorie where there are limestone mines or you go to Chandak in Pithoragarh or Almorah or Madhya Pradesh or Orissa. Forests are being denuded, trees are felled day and night and the dust is almost like a sheet on the ground. In Pithoragarh and Almorah where such factories have been set up, it has been found that people are leaving so many villages; people have left their villages and gone elsewhere. Agriculture is suffering. Soil is affected by the mining operations. If you visit the site after the mining operations you will find the ground completely scarred with large pits, without any fertility. So, this aspect has also to be taken into consideration, that as far as possible the soil should be conserved, as far as possible the land should be reclaimed, as far as possible fertility should be retained, so that agriculture does not suffer, horticulture does not suffer, the neighbourhood does not suffer, the people and the cattle living in the neighbourhood do not suffer and do not leave the places because of such operations. As the Minister also said, illegal or unlawful mining is resorted to at many places. Even on Delhi-Haryana border, in Haryana and other places, in Bhilwara in Rajasthan, in Kota, in so many places, unlawful mining is going on. This has to be stopped. It is indeed very good that one of the amendments proposed to the original Act will also take care of unlawful mining and those indulging in it will be punished severely. Now eleven minerals are going to be added to the First Schedule of the Act, which is entirely in the fitness of things. We can exploit these minerals and we can use them for development. Section 4 is being amended only with a view to having a check on such mining operations as would destroy environment and ecology. That seems to be the main purpose of the Bill. Today environment has assumed very great importance. Our Prime Minister is very much interested in the preservation of environment and ecology. Therefore, it is entirely in the fitness of things that for considerations of environment and ecology Government is going to be empowered to terminate the lease of mines if at any time it is found that the law is being flouted, that he rules are being flouted, by the miners. Similarly in Section 7 of the Act an amendment is being made so that for grant of mining lease it becomes a pre-condition that the area has to be prospected and a mining plan has to be prepared in advance. This is very necessary. This plan and this prospecting will also

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ake due care not only of the safety conditions but also of the environment and the ecology of the place.

Similarly, through amend-
3 P.M. ment to section 8 the period of mining leases and their renewal is being rationalised and is being reduced to 20 years from 30 years in the case of coal, iron ore and bauxite. It is indeed a very welcome move and also, Sir, the amendment to inflict a much more deterrent punishment on those who flout the law by way of increasing the period of imprisonment from one year to two years and the amount of fine from five thousand rupees to ten thousand rupees is also entirely in the fitness of things and we welcome it.

However, Sir, I would like to request the Minister to see that a national mineral policy, which was promised to be announced, is announced by the Government as early as possible. This national mineral policy will give the proper direction to our mining operations and mining activities and it will also safeguard so many things. As regards the national mineral policy, Sir, I would like to emphasise that it should include certain things. Firstly, it should include the provision that all minerals should be used as far as possible within our own country. They should be used and fully exploited in our own country. Secondly, they should be used in such a way that the environment and the ecology are not disturbed at all because of them. It should also be ensured that wherever mining operations are resorted to or have to be resorted to, the nearby population does not have to leave its place of living that the people living in the vicinity do not have to leave their hearths and homes. Care should be taken to avoid this as far as possible and the people living in the neighbourhood should not be called upon to leave their places of living. Further, in this connection, Sir, I would like emphasise that full socio-economic justice should be meted out to the workers who are employed on the mines. Today, Sir, the conditions of the workers are still very bad and in so many places they live and work like bonded labour and in so many places, Sir, they do not have even the bare necessities of life like shelter, drinking water, medical facilities or educational facilities for their children. All these things must also be provided to the workers so that they can put their entire heart and soul into their work and production can be increased and we can utilise those minerals for the development of the country.

In the end, I would like to suggest that there must also be an enforcement machinery. The Act does not envisage any such thing or any such machinery. I do not know who will look after these things and who will see that the law is not broken or breached by the mine owners. It is very much needed that a proper enforcement machinery is there. Such a machinery should be there to ensure that the law is strictly adhered to and is followed by the miners. I am saying this beacuse what happens today is that there is an officer called the Director-General of Mines Safety. This Directorate-General looks after the safety of the workers only and not of the others, those who are living in the vicinity of mines. Also, the offices of the Directorate visit the mines only once in six months. It means that for six months one can indulge in unlawful mining and then it will come to the notice that it is not done lawfully. Therefore, I say that a proper enforcement machinery should be set up by the Government to ensure that all the rules and regulations are properly and strictly adhered to and they are not flouted.

With these words, Sir, I once again welcome and support this Bill.

MR. DEPUTY CHAIRMAN: Yes, Mr. Kadharsha.

SHRI M. KADHARSHA (Tamil Nadu): Mr. Deputy Chairman, Sir, at the outset, I would like to support

the hon. Minister for having brought a Bill which has got overall support of the House. Sir, as he rightly pointed out, rich mineral wealth of a country and its proper exploitation are basic essentials to make the country industrially advanced. Mother, Nature has bestowed India with many important minerals, but this mineral wealth has not been exploited to the maximum to benefit the socio-economic conditions of the people. To give a classic example, the share of Bihar is 45 per cent in the total mineral resources of the country, but its per capita income is one of the lowest. Unless such anomalies are set right, we cannot hope for a better future. The late Panditji had enunciated the first mineral policy of the Government and gave thrust to the public sector in the Industrial Policy Resolution The new mineral policy is generally in tune with the needs and aspirations of the country. The objectives are categorically spelt out and they are in harmony with other policies like Forest Ordinance and environment protection. However, the Government is of the view that the private sector still has a role to play for mineral development in all the above three categories even after 30 years of the first Mineral Policy Resolution.

Sir, I would like to impress upon the Government that most of the private entrepreneurs who apply for mining lease do not have any industrial outlook. Their main intent is to trade the minerals. They do not even follow scientific mining. Excepting strategic mineral, coal, oil, granite rest of the deposits would be open to both public and private sectors, based on the merit of definite industrial programme propounded by them and the necessity for the same to the country. The responsibility of evolving the programme and to take decision to whom the quarry lease/mining lease is to be given should be vested in accordance with the conditions obtainable in each State.

Sir, I would like to share my experience gained as one of the Directors of a State-owned Mineral Development Corporation, namely, the Tamil Nadu Minerals, in respect of the much talked about black granite. The Tamil Nadu Government felt strongly that only a handful people in private sector are exploiting Dolerite like what is popularly and commercially known as black granite. So, in view of that the Tamil Nadu Government, under the able guidance of our hon. Chief Minister, Dr. M.G.R., thought it fit to bring Rule 8(c) in Tamil Nadu Minor Mineral Concession Rules in oder to avoid the handful of entrepreneurs selling the natural treasure for a song, for a very low value. Why I am quoting this is due to the fact that this concept dramatically changed the situation from the buyers' market to sellers' market and brought a lot of foreign exchange. Sir, the export of granite which was a meagre Rs. 32,000 in 1964 has now exceeded Rs. 40 crores. And State Corporations have contributed a lot to this.

There are also quartz and feldspar deposits in Tamil Nadu. The quartz has got excellent foreign market for manufacture of Fused Quartz. These lessees sell their quartz to one or two traders whose ultimate aim is to earn quick money by exporting them in raw form rather than developing the deposit with industrial programme like setting up quartz based industries for value addition and higher quantum of foreign exchange earning. Many State owned Mineral Development Corporations have ambitious programme of setting up a series of mineral based industries in consonance with our Mineral Policy. It is, therefore, imperative on the part of the Government to encourage them with incentives to set up Mineral based industries.

Sir, I would like to make a mention about the Forest Ordinance and its adverse effects on the mineral sector. No doubt, forest is a national wealth. But the authorities who see only the stringent rules of forest ordinances do not wish to understand that the mineral sector is also equally

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important for the nation building and is the backbone of industrial advancement of our country. Even for the deposits that occur in the so-called reserve forest area where the vegetation is totally absent or relatively rare, the authorities recommend for non-grant of lease for the exploitation of minerals occurring in them. In view of their irrational approach, the country is losing huge foreign exchange on import of such minerals for some of its industries. It is better to have an Appellate Authority to enable the aggrieved applicants to appeal against the rejection of quarry lease and mining lease by Forest officials and obtain the leases wherever the stand of the Forest officers is incorrect.

Sir, regarding conservation and mineral development, the existing rules are adequate. Unfortunately, these rules are profusely used against public sector. The officials of the rule-enforcing departments have big brother attitude and most of them do not have any practical knowledge of mining. Sir, what is desired is that the rule-enforcing authorities should understand the spirit behind the enactment of rules and act accordingly. All the public sector companies are implementing the Government policies alone and as such the penalty prescribed for the offence against profiteering motive of private entrepreneurs should not be applied to public sector. At the most, the law enforcing authorities can give time to the public sector companies to remedy the mistake within a prescribed time frame if there is a genuine problem for implementing the same immediately.

Sir, research and development is imperative for planned growth of a country. Money spent upto 5 to 10 per cent on research and development in respect of mining, beneficiation and discovery of new applications for minerals must be deducted from income-tax payable as a means of motivation for doing Research and Development. It should not be insisted that the studies must be taken up by individual entrepreneurs with the facilities approved by the Department of Science and Technology in their own units. Even if the studies are carried out in the National Laboratories or in other recognised units, they must be considered for income-tax deduction.

Sir, the most immediate attention has to be paid to the processing of mining leases which under the present circumstances takes a lot of time. For the rapid development in the mining sector, it is essential that mining leases should be granted or rejected within 12 months of the application made to this effect, and only in the rarest of the rare cases, the processing of mining lease application can be beyond 12 months and that too with due information to the applicant in writing about the causes for delay. If the leassee has got a definite time-frame of grant of mining lease, he can arrange for finance, machinery and manpower and plan this mine development without any loss of money and time. This will promote scientific mining and encourage adoption of safe mining practices. Therefore, I would suggest that the provision of 'deemed rejections' for not having taken a decision on Mining Lease within 12 months time must be removed from the statute. (*Time bell rings*).

Sir, I am rather proud to quote the words of the late Prime Minister Mrs. Indira Gandhi while presiding over the Golden Jubilee function of the Kolar Gold Fields in the years 1980. To quote: "We should aim at self-sufficiency in as many minerals as possible. Mineral reserves are not renewable and it is our duty to keep in mind the needs of the future generation." Sir, the Seventh Plan for the mineral sector lays emphasis on intensifying exploration and exploitation of the minerals in deference to the wishes of the late Prime Minister. But, Sir, there are still vast areas whichk are to be exploited. It has been reported recently that in Orissa 29,000 million tonnes of coal, 3120

million tonnes of iron ore and 1525 million tonnes of bauxite along a stretch of 38,000 KMs of area have been found. Similarly, in North Bengal dolomite, led, zinc and coal reserves have been found. In the North Eastern States of Meghalaya and Mizoram coal, limestone and uranium have been discovered. Sir, we have to depend upon the USA and the European countries to get enriched uranium to keep our atomic power plants alive. Sir, countries like Japan are extratcing uranium from sea. But we have not yet started to tap the Indian Ocean resources. We can utilise uranium which is available in Mizoram and attain self sufficiency.

Sir, delay in taking decisions is another factor which costs the industry heavily. To give an example, the coal mine project at Moonidih in Bihar which would have been completed by spending Rs. 15.48 crores is going to cost now Rs. 132.07 crores giving an alarming cost escalation of 752 per cent. Similarly, the Chinakuri coal mine project in West Bengal has been affected by cost escalation of 440 per cent. So, the Government must take decisions without delay.

Finally, the hon. Minister in his speech mentioned about illicit mining. Those who are engaged in illicit mining are running a parallel government, posing a threat not only to national security but to the national economy also with all their black money earned with the connivance of high officials. I would request the hon. Minister to see if he can end the illicit mining, particularly in States like Bihar.

Sir, he also mentioned about coordination between the States and the Central Government. There should be coordination between the various departments of the Central Government itself because when there was an increase in port charges at the Visakhapatnam port, there was a difference of opinion between various Ministries, the Transport Ministry, the Commerce Ministry and the Steel and Mines Ministry and they were not able to come to a coordinated conclusion. So, I would request the hon. Minister to look to this aspect. We are all serving the cause of our country, we are all working for the welfare of the people. So, there should be coordination not only between the States and the Centre, but these should be coordination between the various departments of the Central Government.

With these words, I thank you for the oportunity given to me to express my views.

SHRI SANTOSH KUMAR SAHU (Orissa): Mr. Deputy Chairman, at the outset, I stand to support the Bill. It contains many welcome measures. In the Statement of objects and Reasons, new dimension has been put for the mining operations and regulations, especially, premature termination of prospecting licences and mining leases on ecological grounds, etc. The question of flood protection, soil erosion and such other questions come up before us. The Bill has also now tried to simplify the process of mining which was a long overdue demand because income-tax certificate and other things from the prospective licences has been abolished. So also, we see many good features in the Bill because it has come out of the recommendations of the Mineral Advisory Council, as has been pointed out by the hon. Minister.

Before taking up the Bill, I would like to say that any Bill envisaging regulations about the mines and the minerals, requires three things. One of the important requirements is planned and scientific development of the mineral resources of the country. The mineral deposits lie in the crest of the earth which are exhaustible. Not only we must play scientifically but we must also have an extensive geo-physical survey so that we can make proper and better utilisation and we are able to preserve the mineral wealth for the

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future, for the posterity. This is what should be the guideline for any mining Act or the rules which we want to frame. That is one point.

The second point for the mining and mineral department to look to is that we do not export the minerals as raw material to other countries but our emphasis should be to try to do the manufacturing within our own country. As has been pointed out by other speakers, we might have been very rich in mineral resources but our per capita income is still one of the lowest in the world. I think if we ourselves undertake the manufacturing process, we need not export our raw materials to other countries but export only the manufactured products. That means, more metallurgical industries would come up in the country.

The other important thing is that in our country we must give priority for more beneficiation plants. This will improve the efficiency in the use of raw materials which, in turn, will result in good quality of the end product, like coal, by beneficiation and other methods so that we may not have to import these things from outside.

Now, Sir, coming to the Bill, I welcome the provision which has been made here, by substitution of new section 4A, which relates to termination of prospecting licences or mining leases, to ensure ecological balance etc. It says here:

> "Where the Central Government, after consultation with the State Government, is of opinion that it is expedient in the interest of regulation of mines and mineral development, preservation of patural environment, control of floods, prevention of pollution, or to avoid danger to public health or communications..."

I welcome this provision. I also welcome the provision which has been made in clause (2) of section 4A, which gives similar power to the State Governments. In this connection, I also welcome the provision which has been made on Page 5 of the Bill, in regard to maintenance of ecological balance and rehabilitation of flora and other vegetation. In section 13, a new clause is proposed to be added, clause (qq) which says:

> "the manner in which rehabilitation of flora and other vegetation such as trees, shrubs and the like destroyed by reason of and prospecting or mining operations shall be made in the same area or in any other area selected by the Central Government (whether by way of reimbursement of the cost of rehabilitation or otherwise) by the person holding the prospecting licence or mining lease."

This is a positive provision which has been lacking earlier. We have been thinking about this as to how to regenerate the areas which are destroyed or depleted because of any mining operation. Now, a new clause has been provided for in this amending Bill. This will be a great help to us in our efforts to see that ecological balance is maintained, pollution is minimised and there is regeneration of flora and other vegetation. But at the same time, I would like to point out to the hon. Minister that there are two sides to a coin. We should also take the other side into cognisance. As I said, I welcome the new clause (qq) on page 5 of the Bill, which I quoted just now. But here, the forest department should also have been brought into the picture. Minerals are found in the crust of the earth. When mining operation takes place, when there is some prospecting for minerals, trees may be cut. Of course, our effort should be to see that exploitation is kept to the minimum. When trees are cut, royalty is paid. But up till now, the forest departments have not been using the royalty for regeneration purposes and they have

been using it for other purposes. I suggest that some provision should be made somewhere in the Bill so that the forest departments of the State Governments are also associated with this and they are given the responsibility in regard to rehabilitation of forest wealth depleted by mining and they also contribute towards maintenance of ecological balance.

Sir, I would like to give an example of my State, Orissa. There is an agitation going on now. A Bauxite project is coming up in Gandhamardan in Sambalpur district, by BALCO. The adivasis are facing difficulties. Their forest wealth, their trees, which is the life for them, is being destroyed. The compensation for the land taken away from them is also not adequate. Earlier, there was a provision that when land is taken away, one member from each family will be given employment. Now, it seems, the Bureau of Public Enterprises has issued some guideline that such employment should not be given. Sir, for an adivasi, tree is his life; he is born under the tree, he lives under the tree, he survives on the root and fruit and he dies under it. Therefore, it is absolutely necessary, in the national interest, that Government should come out with a blueprint, a white paper, as to what they are going to do concretly for these people. So, these are some of the things I would like to say. I have already said that inclusion of section 4A is a welcome feature. I agree with the entire provisions in its sub-clauses (1) and (2). At the end a proviso is given which reads:

> "Provided that the State Government, may after the premature termination of a prospecting licence or mining lease under sub-section (1) or sub-section (2)...as it may think fit."

The entire provision under 4A section is very good, but this proviso is not necessary. It is not consequential. Sub-clause (3) reads:

> "No order making a premature termination of a prospecting licence or mining lease shall be made except after giving the holder of the licence or lease a reasonable opportunity of being heard."

Being a thinker on socialist lines, I do not mind this provision but I think it creates a new precedence and it may be challenged in a court of law. These provisions are not necessary because these are the provisions about premature termination only. So, if it is neessary, such a provision could be given somewhere else but not here. I hope the Minister would look into this.

There is a provision about prospecting licences. It is a good clause. I accept it but a point has been made about a time-limit. As Mr. Kadharsha has also said, many a time it comes to the Central Government and it is delayed for years together. Nothing is known whether a permission has been granted or not. So, I appeal to the Minister to kindly see that at least in the rules some time-limit is prescribed. Now more and more minerals have come under Schedule A. It will be necessary to prescribe a time-limit. You should provide that in case a reply is not received within six months or within a year it should be automatically taken as approved. You take sufficient time and then say that if after that particular time it does not come, it will automatically be taken as approved or rejected. You provide like that. It should not be kept in doledrums. People should have a concrete idea.

We want that mining industry should also run smoothly because it is generating employment for local people. Most of the mining areas are in hilly areas where there is no other source of livelihood.

Coming to illegal mining, I am happy that steps have been taken in this regard, but Mr. P. N. Sukul and other friends have raised this point. It is not a secret thing, it has been published in newspapers

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and it has been discussed in this House many a time that many illegal miners are working hand in glove with the authorities in many parts of the country. Enforcement machinery should be strengthened, and while announcing the national policy on minerals, which has been promised by the Minister earlier, these things should be taken into consideration.

Finally, Sir, I would like to repeat my fundamental point that we should have scientific development and utilisation of our mineral resources. We must try to have some semi-manufactured goods which we will try to sell to other countries. We should increase our export. All this will give additional employment opportunities to our educated persons. We can get better price for our goods and particularly the tribal people of the backward States like Orissa, Bihar, Bengal and other places will be much more benefited.

With these words I support this Bill. It is a welcome feature. I think in the coming future all the points that have been mentioned will be taken into consideration and we will try to have more scientific development in the mines of our country.

Thank you.

SHRI P. BABUL REDDY (Andhra Pradesh): Thank you, Sir, for giving me this opportunity. I find most of the amendments have a wholesome object of an orderly mineral development in the country. The first amendment was moved after 14 years. In 1957 the Act came in and in 1972 or so, the earlier amendment was brought. It looks as though there is a rhyme. After another 14 years, the present Minister has brought forward this Amendment Bill to give effect to the various suggestions that have come in various seminars and from other experts.

Sir, I take exception to only one amendment. And the other amendments are wholesome amendments aimed at the development of mineral wealth in this country—particularly section 4A relating to termination of prospecting licences or mining leases in the interest of mineral development, to prevent pollution and to maintain and to preserve ecology and natural environment. This is a very good provision and no exception could be taken to the proposed amendment. Similarly, rationalisation of period. In the unamended Act—of course still it is not amended—there is a provision that a particular entrepreneur can acquire 10 sq. km of area for a mining lease in every State. Like that in 20 States, 20x10 sq. kms. you can take. So those offending words "in any one State" have been omitted. I am happy that they have realised the mistake and this amendment has been brought forward. The period is also rationalised. Originally it was 30 years for minerals like bauxite, coal, iron ore etc. Now it has been reduced to 20 years. And then the renewal period is also reduced to 10 years every time. That is also a very welcome feature. The third one is about revision of royalty. Originally it was for four years; now they say, for every three years they can revise it.

But one amendment to which I take objection is about section 5, i.e. about requirement of approval certificate and income-tax clearance certificate. This income-tax clearance certificate is a usual provision in almost all the enactments. Even if you want to get an excise licence, they ask for income-tax clearance certificate; if you want a bus permit, they ask for income-tax clearance certificate. I do not know what is the object in removing this requirement, unless they want to encourage tax evaders. Why should the need for income-tax clearance be removed. This was questioned in the Supreme Court a number of times and it was upheld. The other thing is approval certificate. Approval certificate is normally required so that all sorts of desperate persons should not come in there, because they have nothing to lose. They will think, "I will invest hundred rupees, file an application, get priority and get 10 sq. km. of area for mining lease".

Such things should be discouraged. That is the object of the approval certificate. If the approval certificate is not there, even the renewal would not be given according to the earlier law. You have now dispensed with the approval certificate. Approval certificate originally was given for a person to assess what his status was. "You want to get a mining lease, let us see what are your resources?" These were the considerations that were there which weighed while granting the approval certificate. Now that is also dispensed with. Now you have made it a heaven for these desperate people. No income-tax clearance certificate, no approval certificate The hon. Minister may have very valid reasons, but in the objects I have not seen anything. But a new thing has been added in that section: that you should be an Indian citizen. I am glad at this addition. The non-citizens should not be given a mining lease and it is a proper introduction. Sir, I want to take this opportunity to make a few general observations. Nature has stored enormous wealth in the bed of earth and even from three to four kilometres under the earth we are taking it out. Particularly, my friend has mentioned that 45 per cent of the country's mineral wealth is in Bihar but still people there are groaning below the poverty line. Why? Because we have not concentrated much on the development of mineral wealth. During the last forty years—you will pardon me when I say this—we have been concentrating only on particular areas. Take, for example, coal. Coal is not required just for its ordinary uses only. The cement industry requires it, the railways require it, sugar factories and other industries require it. So, there is such a great pressure on the Government for coal. Just as there is pressure of earth under which minerals are formed—though it takes millions of years for the formation of minerals—the Government is acting under pressure from the industries. Now, Sir, there is so much of unemployment in this country. Lakhs of people are enrolled on the employment registers. There is so much of mineral wealth in our country which is yet to be exploited Why not the Government go in a very big way to take up mineral development and have some corporations not only for each State but for each mineral and then employ all these unemployed people? There is not going to be loss unless they are mismanaged.

We are selling away valuable minerals. Here I have got another complaint. We are exporting millions of tonnes of iron ore and manganese ore. I have seen devices set up at the ports to load them into the ships. I am glad; they should be there. Now, 60 per cent ore value material is being exported, which means 40 per cent of the earth of this land is also going to Japan. Can we not remove that 40 per cent of earth and can't we sell it as value-added goods? We can remove that earth very easily and we can also save on transport costs. Thus the value of the ore can go up and then our unemployment problem also can be solved.

[The Vice-Chairman (Shri Santosh Kumar Sahu in the chair.]

There is one more suggestion that I would like to make. Three-fourths of the earth's surface is ocean. There are many countries like the United States, Japan, France and Germany which are developing, what is called, deep-sea mining. Under the present international law there is an Exclusive Economic Zone and a country can go up to 200 nautical miles in the sea and exploit the wealth that lies therein. It has been discovered by the Department of Ocean Development in a survey that very valuable minerals like copper, nickel, cobalt, sulphur and zinc are available in the sea-bed. Of course, one may say why go into the sea and drown yourself while you are not able to take what is available on land. May be it is a good argument. It is neglected all right, but when such valuable minerals are available under the sea-bed, there is

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no reason why we should not they try and take them out.

We have got a Mineral Development Corporation but they aee not doing any useful work. They only terminate leases. Because there is a provision under the Act for orderly development, they can refuse nenewal. They refuse renewals. Neither do they do it nor do they allow private parties to do it. They just keep it like that. They are not really working in a way which would ensure development of mineral wealth in the country. They prevent private people from doing it saying that for orderly development they want it. Therefore, this is the sorry state of affairs there. Then, these State Corporations, in my humble opinion, are not doing any valuable work. They must be goaded to take up seriously to see that our mineral wealth is not wasted.

With these few observations, Sir, I take leave. Thank you.

SHRI RAMESHWAR THAKUR (Bihar): Sir, I compliment the hon. Minister for having brought this very comprehensive and progressive Bill which was rather overdue. As has been suggested, a number of committees had pointed out the limitations, bottlenecks and other deficiencies in the existing law which had not seen any amendment since 1972. And on the basis of the recommendations of these committees and the Mineral Advisory Council and consultation, as the hon. Minister has pointed out, with the State Governments and other concerned authorities, this Bill has come. This is a very welcome feature. It has a number of such provisions which will certainly help in speedy implementation of the mineral development programmes in the years to come.

We are all aware that the mineral industry is one of the very important industries of our nation. And the various provisions which have been brought will certainly help the growth and development of this industry in the years to come. Amendment to section 4 of the Mines and Minerals (Regulation and Development) Act of 1957 is now giving this right. That is, earlier this right was not there in the existing law. This proviso gives the right. That is, it has provided that the earlier subsection will not apply to any prospective operations undertaken by the Geological Survey of India, the Indian Bureau of Mines, the Atomic Minerals Division of the Department of Atomic Energy of the Central Government and other authorities of the Central Government. The addition of similar right in sub-clause (b) to the State Governments is also important.

More important is amendment to section 4A. Earlier the provision provided only that it was expedient in the interest of regulation of mines and mineral development. What is being now added is very important and very comprehensive. That is, preservation of natural environment, control of floods which is equally important, prevention of pollution or avoiding danger to public health or communications or ensuring safety of buildings, monuments or other structures or conservation of Mineral resources or maintaining safety in the mines or certain other purposes the Government may deem fit. Similar provisions or rights halve been provided in sub-clause (2) in which the powers are vested in the State Governments.

Two additional provisos have been added. Proviso one states that after the premature termination of a prospective licence or mining lease a prospecting licence or mining lease may be granted in favour of such Government company or corporation owned or controlled by Government as it may think fit. It was not there. It was lacking. We have a number of State Government corporations

now and also Central Government corporations. This additional proviso will enable the Government, after premature termination, to grant such licences to these corporations.

Also there is this period of six months. If the holder of a lease is not able to submit his application for renewal within six months, then, it will lapse. This is a very important provision. Otherwise, people used to hold on and submit their applications in due course.

Sir, the next proviso is rather important. It says that no lease shall be revived under the first proviso for more than twice during the entire period of the lease. In this connection, I would like to seek a clarification from the hon. Minister, if the lease for an earlier period, for any reason has already expired once or twice, whether that will be taken into consideration or this word "twice" will have a prospective effect, that is, from the passing of this Bill. That is from the passing of the Act no further lease or new lease will be granted more than twice during the entire period of lease. This needs clarification.

Then it is given that reasonable opportunity should be given. This is fair enough. I think this is good enough that this termination clause is kept after having given a reasonable opportunity for the person to represent his case.

There is only one aspect that if the holder of the mining lease fails to undertake mining operations for a period of one year after the date of execution of the lease of having commenced mining operations, has discontinued the same for a period of one year, the lease shall lapse.' I would like to have a clarification in this regard. If the holder of the mining lease is not able to do for reasons beyond his control. which may be natural calamity or floods or some other such happenings, will there be any proviso for review or will it be automatically cancelled? This is a matter which needs consideration.

Another Member was good enough to mention Section 5(1). Here the two important earlier proviso in regard to income tax and ownership are being taken out. In one rational sense one could say that we are now having only one condition i.e. in regard to Indian citizenship. The other two conditions would be in (b)—satisfies such conditions as may be prescribed. Since, the income-tax condition is rather universal in almost all such applications to Government licences, even for industrial licences this is being taken. I would urge upon the Hon'ble Minister to consider this matter. If it is not specifically kept here, at least at a late stage under condition (b) these two conditions should be specifically mentioned and this should be prescribed so that the two important conditions are not out left out of discretion.

The third thing I would say is in regard to Section 8 where the period is now reduced from 30 years to 20 years and also the power of the Central Government for fixing the rate of royalty is reduced from four years to three years. They are very good and welcome features and I am sure this will help the development of the industry.

In this connection I would like to say only one thing. Schedule II of the earlier Act provides for the rates given in regard to the royalty rates. I do not know whether this Act makes a change in this regard. In the Schedule under the previous Act in Section 19, the rate of royalty have been prescribed. I hope this scheduled is part of the old Act. This Schedule should be revised from time to time under the provision of the Act. But the most important thing is that royalty rates should be suitably raised. There have been requests from the State Governments and from various areas,

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and I would also urge upon the hon. Minister, that the routine increase in the royalty rate is not enough. A stage has come where royalty should be based on the value of the minerial i.e. *ad valorem*. That is very important. We are trying to fix the royalty per tonne. The value of the mineral which is being extracted must be the base. This basic change will really help the States, including the State of Bihar as has mentioned by the hon. Members from the other side.

In Section 15 we have got very good amendments and the State Governments have now been given powers in the specified areas in which they should make rules about the persons to whom such things would be given and the manner in which the application should be made and time in which it should be made and the matters which should be considered the terms and conditions, about the procedure, facilities and so on. I would like to say one thing with regard to sub-clause (K). It says that construction, maintenance, use of roads, power transmission lines, tramways, railways and so on; and any land comprising a querry or mining leases or other mineral concessions for these rules shall be made. I would like to know whether it is not appropriate that there must be specific provision of rules for acquiring such land and premises. This matter was debated in this House on many occasions for making provisions for specific rules, because poorer sections of the people in mining areas who are uprooted should be provided suitable compensation. Otherwise it should be left to the State Governments and the local authorities. Although there are some general rules they won't suffice. Sir, when such a progressive Bill is coming there should be at least a provision for making such rules specifically by the State Governments so that the uprooted persons can be provided with alternative site and rehabilitated properly.

Now, I come to clause 16 in section 21 of the principal Act. In regard to the punishment it is prescribed that with imprisonment for a term which may extend to one year or with fine which may extend to Rs. 5,000 has been increased to two years imprisonment and a fine to Rs. 10,000. I think in the light of the change of time we could have possibly made it much more. Instead of two years we could have made it three years or even five years because of infringement. In other laws we are providing for very harsh punishment, but not in this Bill. The imposition of fine of Rs. 5,000 was provided sometime in 1972 and now to make it Rs. 10,000 is very small considering the status of a mining man. I feel the fine should be increased from Rs. 5 000 to Rs. 10,000.

I am glad that in the first Schedule 11 new items have been rightly added to.

Now, I would like to make a few suggestions with regard to the mineral development. The development of minerals is one of the most important things from the ancient time in our country, because minerals have played a very important and specific role. If we go through the document on "The Artha Sastra of Kautilya" we can find that the minerals have been accorded the first position in the revenue of the Government. It says:

सुवर्णरजतवज्रमणिमुक्ताप्रवालाश्वहस्तिपण्याः पंचाशत्कराः ।

The Artha Sastra of Kautilya gave first position in the revenue of the State for the mineral resources. I would very much urge that this should be seen from that angle as to how much mineral development has taken place from that time till todate.

Sir, as we all aware that in the First Plan our knowledge in the development of minerals was inadequate on account of hundreds of years of slavery of our country. To improve knowledge about this wealth, G.S.I., I.B.M., ONGC and other Bodies have carried out some exploratory work. In the case of the Second Plan we gave high priority for the exploration of coal. In the Third Plan there was a slight shift in our policy and accorded high priority to expansion of bauxite, etc. During the Fourth Plan declaration of pace of coal exploration continued. In the Fifth Plan priority was again shifted to coal exploration. In the Sixth Plan we have increased our activities of coal exploration and sustained our efforts for base metals manganese, chromite, phosphate, potash, etc. In the Seventh Plan, as we all know our exploration strategy would be speedy completion of geological mapping of the country, adoption of modern exploration techniques, intensification of exploration in the known mining fields and extending the multidisciplinary approach to minerals exploration and so many priorities are given for energy, minerals like coal, lignite and others. Now, we find that our development, particularly the value of mineral production has increased. In 1950, it was only Rs. 83 crores. In 1960, it was Rs. 165 crores. In 1985, it has gone upto Rs. 8,541 crores. Now, one important matter is that investment on Plans has gone up. In the First Plan, it was Rs. 2.5 crores only. In the third Plan, Rs. 525 crores, in the Fifth Plan, Rs. 2211 crores and in the Sixth Plan, we had gone upto Rs. 8,655 crores. In the Seventh Plan also, we have substantial investments.

Now, one aspect which I would like to bring to the notice of the hon. Minister is regarding the imports and exports of mineral products. Now, in the case of exports of mineral products, we find that exports have gone up substantially. In 1960-61, we had only Rs. 48.42 crores worth of exports which went upto Rs. 201 crores in 1970-71. In 1981-82, it went upto to Rs. 965 crores; in 1982-83, we had gone upto Rs. 2434 crores; in 1983-84, we had gone upto Rs. 3192 crores and in 1984-85, we had gone upto Rs. 3287 crores. There are two areas in which we have significant increase in exports. Out of the total exports, the percentage of these two items, i.e. Mineral Fuel and Lubricants and Precious and Semi-Precious stones is the maximum. In the case of the former it has gone from Rs. 7.43 crores in 1960-61 to Rs. 1593 crores in 1983-84 and Rs. 1777 crores in 1984-85. In the case of precious and semi-precious stones, it has gone up from Rs. 42 crores in 1970-71 to Rs. 1063 crores in 1984-85. My suggestion is that sufficient incentives should be given. There should be a planned development of these minerals particularly with a view to promote exports. A report has said that there is a wide scope of the diamonds export. It can go upto Rs. 7,000 crores. Now, it is a matter for examination whether and to what extent we can make certain changes in the Gold Control Act and certain other regulations. Sir, for want of time, I would not like to mention them but I would only request that in view of foreign exchange position and in view of the potential, when it has gone from Rs. 42 crores in 1970-71 to Rs. 1063 crores, it is necessary that we should try to explore the possibility of more exports but at the same time, we have also to see that India's imports in the minerals including the petroleum products increases. In 1960-61, it was 6.49 per cent. Now, it has gone upto 38.31 per cent. As far as imports are concerned, in the precious and semi-precious metals, it has gone up from Rs. 667 crores in 1982-83 to Rs. 1082 crores in 1983-84. In this area, something more possibly could be done. Now, I would like to bring to the notice of the Minister that in spite of the fact that we are endow-

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ed wih rich reserves but if we see the world picture, we are far behind and we are not so rich. In oil and gas products, the total world reserves of gas are 4,60,042 million barrels and that of oil are 6,40,569 million barrels. Our reserve is only 1440 million barrels and 1600 million barrels which is less than 1 per cent of the world reserves. Similarly, in the case of coal reserve, we find that the total world coal reserves are 10,125,264 mt. whereas India has only 56,799 mt. And the technically and economically recoverable world reserves in coal are 6,36,364 million tonnes. But India's such coal reserves are only 33,700 million tonnes. It means that we have less than 5 per cent of the world reserves. And the life of the minerals also is very low. For non-coking coal it is only 126 years, for coking coal only 74 years, for iron ore only 111 years. For bauxite it is 245 years and in the case of limestone it is 519 years. For manganese it is only 14 years and for zinc, chromite, it is 38 and 29 years respectively. What I am trying to say is that we must have a proper plan to conserve our reserves on long term basis.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Please conclude.

SHRI RAMESHWAR THAKUR: I would like to make a few suggestions which are very important.

(i) Attention should be paid to utilising air-borne surveys, use of geo-physical methods and remote sensing techniques in prospecting of exploration work.

(ii) Secondly, efforts must be made to improve the speed of coverage, mineral discovery ratio as well as to achieve reduction in the cost of mineral surveys and prospecting.

(iii) The lead time for bringing a known occurrence to the stage of exploitation will have to be reduced by the use of improved techniques of exploration and ore analysis.

(iv) Improvement in the speed of mine development would have to be undertaken to sustain increase in the level of mining activity.

(v) Greater stress should be laid on the aspect of conservation of mineral resources of the country to cater to the various requirements.

(vi) A long-term mineral policy needs to be formulated. This has already been mentioned. (*Time bell rings*) The Estimates Committee has given suggestions which need to be considered and finalised. It has suggested how a long-term policy can be drafted.

(vii) With the contemplated increase in the nuclear power generation in the coming years, prospecting, mining and beneficiation of uranium and thorium will need special attention. This is very important from many points of view. (*Time-bell rings*) One or two suggestions more.

(viii) Small-scale mining in the country will need to be put on a sound footing. Many small miners are in difficulties.

(ix) The mining of high value decorative stones needs to be given importance from the point of view of their export potential.

(x) Scientific and technological inputs will have to be given an important role in the exploration and prospecting of minerals.

(xi) Utilisation of low grade and multi-metal ores, recovery of by-products, environmental protection, improving productivity efficiency, cost reduction and energy conservation are the other areas which have to be looked into.

(xii) For achieving these objectives and for improving the standard of safety, increased use of electronics will have to play a key role. (*Time bell rings*).

(xiii) one point I would like to make about employment. It is the last point. In spite of so much development, the total number of persons employed in the mines was only 7.49 lakhs in 1981, 7.80 lakhs in 1982, 7.74 lakhs in 1983 and 7.81 lakhs in 1984. What is the reason for this static figure in the matter of employment? The employment potential should have increased.

I wanted to say many things about Bihar. But as so many Members have been good enough to mention about Bihar's problems, I would like the hon. Minister to consider the problems of Bihar to develop the mining industry there and to increase the yield. I would also request the hon. Minister to consider the question of consignment tax which is pending before the Government. And also the question of establishment of a petro-chemical complex near Barauni, also a coal-based complex near Dhanbad, also a coal-based fertilizer plant at Ramgarh and also the freight equalisation scheme which is affecting the eastern areas, particularly the mineral regions of Bihar, the Pande Committee's and Planning Commission's proposals should be implemented.

SHRI PRABHAKAR RAO KALVALA (Andhra Pradesh): Sir, I have my own doubts about this Mines and Minerals Amendment Bill. One part of the amendment is premature termination of a mine lease in the name of preservation of natural environment and pollution control. The other amendment is if the owner of a mining lease fails to start the mining operations within a period of one year or discontinues the same for one year, the lease will be automatically cancelled. I would like to seek clarification regarding these two propositions. For the purpose of preservation of natural environment and pollution control the clause or the condition already existing before the grant of the lease is enough if it is enforced strictly. On the pretext of preservation of natural environment and control of pollution a lease should not be terminated. Take, for instance, cement industry, which is a limestone based industry. The industrialist has to invest Rs. 100 to Rs. 150 crores to start a cement industry. And if you were to cancel his lease, what would be his fate? Similarly, when you say you will terminate the licence if the mine-owner fails to start mining operations within a period of one year, it is very unreasonable, it is an impossible proposition for the simple reason that it takes two to three years to establish, for example, a cement factory, as most honourable Members know. How can you start mining operations without first establishing a factory? Therefore, the proposed amendment, I believe, may not be practicable. I request that this aspect may be taken into consideration and the period should be extended suitably and reasonably.

Then there is a requirement of submission of the mining plan for the grant of a mining lease. Preparation and submission of a mining plan requires land survey and a lot of money, it takes time. So, this requirement may be stipulated after the grant of the lease.

Then I come to the maximum period of the life of the lease. Presently a mining lease is granted for thirty years in the case of coal, iron ore or bauxite and twenty years in the case of other minerals. Similar is the limit for renewal. But in the proposed amendment the period of the mining lease is reduced to twenty years and renewal is permitted twice, each renewal extending to ten years only, which means you are giving a licence for only twenty years and permitting renewal for twenty years, thus effectively restricting a factory's life to not more than forty years. A man is investing huge amounts of money in his industry and you are restricting the life of that industry to just forty years.

Regarding cement, the Government plans to achieve nearly 50 million tonnes by the end of the Seventh Plan and that is the target. Actually, the production now is roughly about 33 million tonnes. While you are fixing a target of 50 million tonnes to be achieved by the end of the Plan period, you are, at the same time, restricting the industry. So, how can you

(Shri Prabhakar Rao Kalvala)

achieve this target if you restrict the industry like this? I, therefore, humbly request the Minister to look into this aspect of the matter. Andhra Pradesh is the second State in the country so far as cement production is concerned and in my district alone there are about 15 such factories and we have got a lot of limestone. Therefore, I would like to say that in order to achieve the target of 50 million tonnes before the end of the Seventh Plan, a lenient view must be taken and there should be relaxation regarding the existing cement factories.

Lastly, Sir, I would like to suggest that before getting this enactment passed, a deep study must be conducted and a committee must be set up for this study. The prospects of this industry should not be ignored and that is why I am making this suggestion.

With these words, Sir, I once again request the honourable Minister to look into this aspect thoroughly with regard to this industry and take the necessary steps. Thank you, Sir.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Now, Mr. Hanumanthappa.

SHRI H. HANUMANTHAPPA (Karnataka): Sir, I join my other friends in supporting this very important piece of legislation brought forward by the honourable Minister.

Sir, among other things, the Bill aims at taking care of the adverse effects of mining operations on ecology and environment and putting an end to the unscientific mining since the mining operations are undertaken without proper prospecting and also at removing the bottlenecks in the existing provisions and promoting speedy development of mineral-based industries. With a view to making the Act more effective and development-oriented, 11 more minerals have been added. The other feature of the Bill is the premature termination of prospecting licences and mining leases on ecological and other grounds. Here I just add only one thing. Under the provision for the premature termination of licences and mining leases on ecological and other grounds, I would like to say that these considerations, these grounds, are important. But these days all lands other than the agricultural lands are classified as forest lands in our country. But mining will have to be carried on in the forest areas only. The recent regulations on afforestation as well as ecology are coming in the way of development of the mining industry. So, I would like to request the Government to see that there is proper co-ordination between the Department of Environment and the Ministry of Mines so that the minerals can be properly exploited. The Bill also takes care to see that before issuing a licence prospecting is also made in order to ensure that the mines are started on a sound footing and are economical. Rationalisation of the period of mining licences and renewals has also been considered under this Bill. Added to these is the increase in the punishment to curb illegal mining. I do not want to add anything more to what my honourable friends have brought on record. But I take this opportunity to draw the attention of the honourable Minister to the injustice that is being done to a copper mine, in my district of Chitradurga. It is a very important mineral. The Chitradurga Copper Company has become a subsidiary of the Hatti Gold Mines. But, unfortunately, the big brother, the Hindustan Copper, has slashed down the cost of copper concentrate from Rs. 9,200 to Rs. 4,500 in June 1986. Sir, the Copper Mine is on the verge of closure, affecting about one thousand families. The copper deposit in the area surveyed is 25 lakh metric tonnes. The Copper Company started its production from the year 1973-74 and for the last 12 years it is working there. Recently it has added as a subsidiary to Hatti Goldmines. But now the Hindustan Copper want to change the rate. Earlier it was at par with Ghatsila Mines of Bihar. Now they want to change it to Malanj Khand Mines which is an open cast mine. Ghatsila is an underground copper mine at par with Chittardurga Copper Mines. But now the Hindustan Copper is insisting that Chittardurga Copper Mines should give their copper concentrate at the rate at par with Malanj Khand Mines, which is an open cast mine.

So I request the hon. Minister to intervene and save the situation, lives of one thousand families as well as the life of the copper company which can go further to 30—35 years and explore 25 lakh metric tonnes.

Sir, the attitude of Hindustan Copper-mine for the last 12 years was not encouraging towards the copper mine. With a lot of persuasion it could only increase the rate in the year 1980-81 to Rs. 4000 a metric tonne. But later on, gradually, it increased to Rs. 9200. But very recently, from last June, they have slashed it to Rs. 4500, which has forced the copper mine, Chittardurga Copper Mine, to come to a close.

I would mention that while the Government is interested in developing the mines and minerals, while all efforts are being made through this enactment also for mineral development, here is a case where the Hindustan Copper Mines, a big brother, is eating away the small brother. I would request the hon. Minister to intervene, to save this copper mine which can survive for another 30—35 years and explore 25 lakh metric tonnes of copper, and also give life to one thousand families in my district.

With these words, I support the Bill.

THE VICE-CHAIRMAN (SHRI SANTOSH KUMAR SAHU): Shri Jagdambi Prasad Yadav.

श्री जगदम्बी प्रसाद यादव (बिहार): माननीय उपसभाध्यक्ष जी, मैं देख रहा था कि हमारे मंत्री जी को थोड़ी प्रशंसा मिल रही है । मुझे लगा कि चौदह वर्ष के बाद कुम्भकरण की निद्रा से जाग कर अगर कोई संशोधन आया, तो एक बात ताज्जुब जैसा लोगों को लगता होगा ।

मैं मंत्री महोदय जी से जानना चाहता हूं कि आखिर इस खनिज की राष्ट्रीय नीति आपकी क्या है ? राष्ट्र के आधार पर राष्ट्र की कुछ नीति है भी क्या ? और अगर है, तो उस आधार पर इस संशोधन में कौन सी बातें आई हैं जिससे कि मिनेरल्ज डेवेलपमेंट के बाद जो सन आफ दी सायल है, उसकी डेवेलपमेंट का क्या अमेंडमेंट यहां पर आया है और जिस राज्य ने अपना सर्वस्व खनिज द्रव्य आपको दे दिया है, उस राज्य को निचोड़ कर आपने हिन्दुस्तान में सबसे गरीब राज्य बना दिया है, उसके लिए इस अमेंडमेंट मे क्या है ?

आज आपकी जितनी खानें है, प्रायः सभी राष्ट्रीयकृत हैं । उन खानों का उत्पादन कम और खर्च अधिक क्यों ? उसके लिए क्या डाला है अमेंडमेंट मे ? प्रदूषण की बात बहुत हमने सुनी । इनविरनमेंट, इकालोजी की रक्षा के लिए भी हमारे माननीय सदस्य बहुत बोले, लेकिन आप धनबाद, जो हमारे प्रदेश में है, अगर आप दिन भर धनबाद मे रहें, तो एक इंच कोयले का डस्ट आपके ऊपर पड़ जाएगा । कितनी सांस में चली आएगी उसका तो पता नहीं लगेगा । वहां पीने का साफ पानी भी नहीं है । इस अमेंडमेंट मे क्या है हैल्थ हैजार्ड के लिए । सिवाय मिनरल डेवलपमेंट की बात करके उसके रास्ते लाइसेंस को छोड़कर इस अमेंडमेंट में प्रशंसा की क्या बात है मैं समझने का बहुत देर से प्रयास कर रहा था ।

दूसरी बात जो मैं कहना चाहता हूं वह यह कि आपकी जो राष्ट्रीयकृत खान हैं उनकी कितनी भी योजनायें ले लें एक-एक करके, जो भी योजना आज बनती है उसके कम्प्लीशन में 7, 8, 9 वर्ष लगते हैं, उसका खर्चा मल्टीप्लाई हो जाता है । आपने कोई ऐसा विधि-विधान नहीं किया कि योजना समय पर बने और समय पर पूरी हो । खर्चा हजार परसेंट तक बढ़ जाता है । योजना को समय पर पूरा करने की जो बाध्यता होती है वह आप आज तक नहीं कर पाए ।

दूसरे यह मैं देख रहा था कि किसी भी खान के काम में तीन-चार कठिनाइयां आती हैं । उनका निदान शायद इसमें नहीं है । जब खान का काम प्रारम्भ होगा तो पहले भूमि अधिग्रहण की बात होती है । उसमें काफी समय लगता है । इसका कोई निराकरण आपने इसमें नहीं डाला जिससे आपकी परियोजना जल्दी पूरी हो । उसके बाद आज की स्थिति में बिजली की समस्या खान के लिए बहुत भयावह होती

[श्री जगदम्बी प्रसाद यादव]

है । तीसरी समस्या है कि जहां पर खान खोलते हैं वहां के लोगों को एम्प्लाइमेंट नहीं मिलता जिससे हर जगह झगड़े का कारण बना हुआ है । जब तक इसका तालमेल नहीं बैठता तब तक खान की परियोजनायें घाटे का सौदा होंगी और खर्चा लगातार बढ़ता जा रहा है ।

दूसरी बात मैं यह कहना चाहता हूं कि दुनियां इतनी विकसित हो गई है, चन्द्रलोक से आगे बढ़ कर आगे की खोज कर रही है, लेकिन आप इतने भी सक्षम नहीं हुये हैं कि भारतवर्ष की रत्नगर्भा धरती के पेट में कौन से खनिज द्रव्य कितनी मात्रा में कहां पड़े हुये हैं उसकी पूरी-पूरी जानकारी ले लें । मैं एक छोटा सा उदाहरण बिहार के छोटे से जिले पलाम का देना चाहता हूं । ऐसा कोई खनिज द्रव्य नहीं है जो वहां न प्राप्त होता हो, यहां तक कि शौच जाने वाले नदियों के किनारे कितनी पत्थर लोटे में भर कर ले आते थे । दुनियां में स्मोकलेस कोल यहीं मिलता है । लेकिन आज तक खनिज द्रव्यों के आधार पर पलाम का विकास नहीं हुआ । मिनरल्स बोर्ड जरूर बना, लेकिन उस इलाके का कल्याण नहीं हुआ, न ही आज तक ठीक-ठीक सर्वेक्षण हो सका कि वहां की धरती के गर्भ में कौन-कौन से कितने खनिज द्रव्य हैं । इस आधुनिक युग में जब सेटेलाइट ऊपर-ऊपर से ही चीजों की जानकारी ले लेते हैं, भारत में हम खनिज द्रव्यों का पूरा सर्वेक्षण अभी तक नहीं करा पाए । जो हुआ है वह भी कम पड़ता है । जैसा आपने कहा, हम खनिज द्रव्यों के मामले में 26 से 64 तक चले गये । जितना खोजते जाते हैं उतना मिलता जाता है इसका मतलब है कि बहुत से द्रव्य हैं जिनकी खोज नहीं कर पाए हैं । उस खोज करने की व्यवस्था के मामले में आज के आधुनिक युग में हम क्या करना चाहते हैं ।

मैं मुख्य बात बिहार की उठाना चाहता हूं और अनेक माननीय सदस्यों को धन्यवाद देना चाहता हूं कि उन्होंने अपने भाषण में बिहार की समस्या को उठाया है । मैं मंत्री से जानना चाहूंगा कि रायल्टी कम मिलने के कारण बिहार जो 40 से लेकर 50 प्रतिशत खनिज द्रव्य देश को देता है, बिहार की प्रति व्यक्ति आय देश में लास्ट बट वन ही होगी ।

मैं एक दूसरी बात के बारे में जानना चाहता हूं कि खान की सेफ्टी में भी कठिनाई होती है क्योंकि चासनाला जैसे कांड पहले भी हो चुके हैं । उनकी पुनरावृत्ति न हो इसके लिए आप ने क्या व्यवस्था की है ?

खान विभाग में राज्य मंत्री (श्रीमती राम दुलारी सिन्हा) : अब नहीं होंगे ।

श्री जगदम्बी प्रसाद यादव : यह आप कह रही हैं लेकिन मैं दूसरी बात कहना चाहता हूं कि झरिया और धनबाद में आग लगी हुई है कोयला खानों में और वह इतनी भयंकर है कि किसी गांव या किसी एरिया को भस्म कर सकती है । आज तक उसको रोकने की क्या कोई व्यवस्था आपने की है । जो प्रत्यक्ष जल रहा है उसके लिए भी आप कुछ नहीं कर पाए हैं । तो दूसरा कोई चासनाला कांड न होगा इसकी क्या गारंटी है । तो मैं चाहता हूं कि इस दुर्घटना से आप उस एरया को बचाइये ।

तीसरी बात मैं यह कहना चाहता हूं कि हैल्थ हैजार्ड इस खान के एरिया में इतना भयावह है कि जिसका ठिकाना नहीं । हम प्रदूषण रोकना चाहते हैं, लेकिन डाइरेक्ट खान से जो प्रदूषण हो रहा है उसको रोकने में भी हम सक्षम नहीं हो रहे हैं । तो मैं चाहता हूं कि आप इस प्रदूषण को जल्दी से जल्दी रोकिए और स्वास्थ्य के लिए पानी की बड़ी आवश्यकता है । वह पानी भी वहां ठीक प्रकार से ठीक-ठीक प्राप्त हो सके उसको आप व्यवस्था कीजिए ।

इसके बाद मैं चाहता हूं कि जो बात अनेक अन्य सदस्यों ने उठायी है कि बहुत जगह जंगल हैं, पहाड़ हैं, वहां खानें होती है और वहां के जो बनवासी और लोकल पीपुल होते हैं वह आज उजड़ते जा रहे हैं और उनकी गरीबी बढ़ती जा

रही है । देश समृद्ध हो रहा है लेकिन उनकी भूख और गरीबी की कीमत पर समृद्ध हो रहा है । उसके लिए आपके पास न तो इस अमेंडमेंट में कोई बात है और न आप के भाषण में ही कोई आश्वासन है । शायद आप अपने उत्तर भाषण में इस पर कुछ प्रकाश डाल सकें । मैं चाहूंगा कि उनका भी आप विकास करें ।

हमारे कुछ मित्रों ने कहा है कि बाल मजदूरों के साथ व्यवहार ठीक नहीं है । जहां लोग इल्लीगल खानों में लगे हुए हैं और वे चलते हैं बिहार में तो सैकड़ों इल्लीगल खान है, और वे वहां पुलिस की मदद से चलते हैं । दोनों का कनाइवेंस से चलते हैं. तो इन इल्लीगल खानों को बिहार में आप रोकने की कोई व्यवस्था नहीं कर रहे हैं । इसके लिये आप क्या कर रहे हैं वह मैं जानना चाहूंगा ।

अब मैं माफिया गैंग की बात करना चाहता हूं। बिहार में माफिया गैंग मजदूरों का पैसा हड़प लेता है और उन में अगर मजदूरों की रक्षा आप नहीं कर सकेंगे तो मैं नहीं समझता कि आप का काम ठीक ठीक चल सकेगा ।

इसलिए मैं चाहता हूं कि आप जब खानों के बारे में बात कर रहे हैं तो यह नीति होनी चाहिए कि लघु उद्योग आप ने कृषि की उपज पर आधारित किये हैं, लेकिन इस एक्ट में इस का कोई विधि विधान नहीं दिखायी देता कि खनिज पदार्थों के आधार पर लघु उद्योगों का कैसे विस्तार होगा । बिहार में लाल माटिया खान में काम आने वाली चीजों की आपूर्ति क्या लोकल आबादी से करायी जाती है । वहां कुदाल टोकरी, शावल आदि की जरूरत पड़ती है और यदि वह लोकल आबादी से ली जाये तो उन लोगो को कुछ इंप्लायमेंट मिल सकता है और उन की आर्थिक स्थिति सुधर सकती है । इसीलिए मैंने मंत्री जी से पूछा था कि आप की राष्ट्रीय नीति खनिजों के लिय क्या है । मिरनल डवलपमेंट के साथ-साथ वहां के लोकल पीपुल का डवलपमेंट भी होना चाहिय और लोकल पीपुल जो हैरस हो रहे हैं चाहे जमीन जाने से या अन्य कारणों से जैसा कि अन्य सदस्यों ने बताया, उस को रोका जाना चाहिए । इस के लिये कुछ न कुछ उपाय आपको करना चाहिए। इंडस्ट्री के रूप में, बाई प्रोडक्ट के रूप में जिस को आनुषांगिक उद्योग आप कह सकते हैं उन को वहां व्यवस्था होनी चाहिए तभी उन लोगों को लाभ हो सकता है अन्यथा लोकल पीपुल उस से लाभान्वित नहीं होंगे ।

एक बात और कहना चाहता हूं। आयरन ओर को अगर प्रोसेस कर के बाहर भेजा जाय, जैसा कि बाबुल रेड्डी साहब ने कहा कि मिट्टी के कण उस में से निकाल सकते हैं, तो उस से लोगों को काम मिलेगा । अगर मिट्टी निकालते है तो आयरन ओर की कीमत भी बढेगी । टोकयो में चेंबर आफ कामर्स में जब एक जापानी से बात कर रहा था तो मैंने एक मजाक किया कि तुम्हारा अपना कोई रा मैटीरियल नहीं है, अगर तुमको कोई रा मैटीरियल न दे तो तुम्हारी इंडस्ट्री का क्या होगा? उसने कहा यह मेरी इच्छा है कि मैं रा मैटीरियल किससे लू आपका आयरन ओर ठीक नही है, हम नहीं लेंगे, सचमुच हमने देखा कि हमारी स्थिति यह थी कि हमें उसकी खुशामद करनी पड़ी इसी तरह से और पदार्थ है बिहार में अभ्रक का भंडार है लेकिन अमरीका अगर हमारा अभ्रक लेना बंद कर दे तो हम क्या करेंगे? हमारे पास उसको प्रोसेस करने के लिए साधन नहीं है हम रूस को सस्ती कीमत पर बेचने के लिये तैयार है क्योंकि उसका प्रोसेसिंग हम नहीं जानते है, इसी तरह से लोहे का भी प्रोसेसिंग नहीं कर सकते हैं, उसी तरह से उत्पादन में भी है आयरन का उत्पादन हमने और जापान ने साथ किया, मगर जापान हमसे बहुत आगे

[श्री जगदम्बी प्रसाद यादव]

चला गया हम पीछे रह गये इसलिये आपके कार्यक्रम में अगर कहीं कुछ प्रगति हो सकती हो, प्रगति हो कि किस प्रकार से हम प्रोसेस कर सकें तो दुनिया की मैचिंग में हम आ सकेंगे, नहीं तो उसका प्रोसेसिंग करना हमारे लिये बेकार होगा हमारे पास रिसोंसेज है, खनिज का भंडार है, लेकिन उनको निकालने और प्रोसेस करने का भी रास्ता हम तैयार कर सके तो हम प्रगतिशील हो सकेंगे, अतः मैं मंत्री महोदय से निवेदन करूंगा कि वे इस ओर ध्यान दें और इस पर प्रकाश डालें कि हम दुनिया के मुकाबले में किस प्रकार से आगे बढ रहे हैं

धन्यवाद ।

SHRI THANGABAALU (Tamil Nadu): Mr. Vice-Chairman, Sir, I rise to support the Mines and Minerals (Regulation and Development Amendment) Bill, 1986. Through this amending Bill, many innovative changes have been brought in. I would like to congratulate the hon. Minister though late, he has brought in these changes.

First of all, I welcome the provision whereby eleven more minerals of national importance have been brought in under the First Schedule to the Act. This will enable the Government of India to ensure prospecting and development of these minerals as well as their export bringing in valuable foreign exchange. I also welcome the provision in regard to increase in the quantum of punishment. This is very necessary because today, in the country, people, in many areas, without taking permission from the Central or State Government, without liecence, are mining, I should say, stealing actually, the mineral wealth.

Another aspect which I would like to emphasise is in regard to termination, premature termination of prospecting licences or mining leases on ecological, environmental and other grounds. This is good. But at the same time, there is some problem. We have come across certain cases in Tamil Nadu, Karnataka and Andhra Pradesh. In the case of a minor mineral like granite, a mining lease was given for ten years. Subsequently, the State Government, before the expiry of the lease, made use of the existing section 4A, which says:

> "Where the State Government, after consultation with the Central Government, is of opinion that it is expedient in the interest of regulation of mines and mineral development so to do, it may, by an order, make premature termination of a mining lease in respect of any minor mineral and grant a fresh lease in respect of such mineral in favour of such Government company or corporation owned or controlled by Government as it may think fit."

Here, I would like to bring to the notice of the hon. Minister a stray incident, but an important one. In Karnataka, there were five-six granite mines. They invested huge amounts. Banks had given finance. The Central Government—Commerce Department—had given licence for hundred per cent export-oriented unit whereby they have been getting a huge foreign exchange for our Government. Their licence is immediately terminated because these people do not belong to the ruling party and now because of the Supreme Court judgment they are running the mines. The State Government misuses the power stating that they are going to take over for the betterment of the State. I would like to inform the House that such State Governments neither do any work or undertake mining work, nor make any operations in that particular area where there are lots of mines available. Areas are available in the State itself. In such cases, Government must come forward and give protection to those lease holders.

Another commendable provision that you have made is in respect of power of State Governments to make rules in respect of minor minerals. There is the proviso under section 15(3) which reads:

> "Provided that the State Government shall not enhance the rate of royalty in respect of any minor mineral for more than once during any period of four years."

The amendment which has been brought about is a good one. In Tamil Nadu for instance, for the same minor mineral like

granite they collect a royalty of Rs. 50 in one district, Rs. 200 in another and Rs. 600 in another district. This varies from district to district, for the same quality, for the same granite. This is very unfortunate. So, this amendment will certainly provide safety for those entrepreneurs who are mining in this area.

Sir, it is a good thing that you have included 11 more minerals but we, the Members of Parliament from the entire southern region, that is from Andhra, Tamil Nadu, Karnataka, and also from Rajasthan, have requested on a number of occasions to include granite mine under the Central sector. Unfortunately, it has been left out. For the information of the House and the hon. Minister, I may mention that this particular mine has developed a lot in the last 15 years. Though it is an ordinary stone, our young entrepreneurs, young engineers and others have brought this stone to the limelight and now it is competing in the international market. In fact, in 1968 we were having only 3 small scale industries in granite mining sector. Now there are about 109 small scale industries and 5 DGTD units. We are having about 15 hundred per cent export oriented units and we are competing in the markets of Italy, America, Taiwan, Japan, U.K. and West Germany. In about 18 countries our stones are very popular today. Superior granite stones in many colours are used in tombs, monuments, building slabs, surface slabs and in other places. The hon. Minister must make a note of this. Our export today is to the tune of Rs. 48 crores. People may not believe it. Government sector is exporting to the extent of Rs. 3 to 4 crores only, which is the minimum. The balance export is done by our young entrepreneurs. About four to five lakh workers are there in this granite mining industry. We have got a number of colour granite stones available in the country which are more in use but the problem is that the State Governments are not giving the lease to the young entrepreneurs for reasons best known to them. If a ruling party members applies for a lease, they give him but to others they refuse. As I have stated earlier, if we encourage this kind of mineral through the Central sector, by including it under the major mineral sector, today's exports which were to the tune of Rs. 48 crores last year, could be increased substantially If the Centre takes over this mineral and includes it in the Central sector and if we give leases to ntrepreneurs for starting new units and industries, we will be able to earn a hundred crores worth of foreign exchange in 1990. It is possible because our youngsters are willing to take up the challenge. These things are in great demand and are going to be utilised by the

Italian FRG, Japan, U.K., U.S.A. and other granite markets in the world.

For the establishment and betterment of this industry, I would conclude by making the following suggestions:

An amendment to the Mineral Development Act and Mineral Concession Rules can help the stone industry. Any minor mineral like granite stones, when it is exported, should be treated as a regular mineral and the provisions of Mineral Concession Rules 1960 of the Government of India should apply for the lease, royalty etc., so as to have a uniform national policy.

No State Government should frame any rule for exclusive reservation of areas or denying quarry leases to entrepreneurs and private sector requiring granite stones for processing and exports. The leases already granted by the respective State Governments and the renewals applied for should be treated retrospectively as leases granted for minerals under the Mineral Concession Rules and automatic renewals be granted.

In this way we can earn a lot of foreign exchange, we can create a lot of employment potential and our youngesters can live independently. That is why my personal and humble submission to the hon. Minister is that mining of granite stone should be taken over from the State sector and included in the Central sector as a major mineral sector. By this the Government can make a lot of foreign exchange and give employment to lakhs and lakhs of people. Particularly in the southern part of India, we have got plenty of minerals like granite stones which are not being used for hundreds and thousands of

[Shri Thangabaalu]

years and which are very good ones and can compete in the international market.

I request the hon. Minister to consider to including these suggestions in this Bill

Thank you very much.

उपसभाध्यक्ष (श्री संतोष कुमार साहू): श्री राम अवधेश सिंह जी, कृपया आप अपनी सीट से बोले तो अच्छा होगा।

श्री राम अवधेश सिंह (बिहार) : मैं आपकी आज्ञा से बोल रहा हूं।

माननीय उपसभाध्यक्ष महोदय, मेरी भी इच्छा थी कि मैं माननीय मंत्री महोदय की तारीफ करूं और सरकार की पीठ थपथपाऊं और यह कहूं कि यह एक अच्छा बिल है जैसी कि ट्रेजरी बेंचेज के लोगों ने पीठ थपथपाई है। उन्होंने कहा कि यह बहुत ही प्रोग्रेसिव बिल है। लेकिन जब हम इस बिल पर बहुत गम्भीरता से विचार करते हैं और भीतर जाकर इसको पढ़ते हैं तो यह बिल विष से भरे कनक के घड़े जैसा दिखाई देता है। ऊपर से देखने में यह अच्छा लगता है लेकिन भीतर में जाकर जब इसको आप देखेंगे तो आपको पता चलेगा कि किसी खास डिजाइन से, किसी खास उद्देश्य से बनाया गया है। इसका उद्देश्य यह है कि जो ब्लैक मनी वाले लोग हैं, ब्लैक मार्किटियर्स हैं, जिनके पास भारी मात्रा में नम्बर दो का पैसा है, उनके लिए प्राइवेट सैक्टर का गेट, दरवाजा खोला जा रहा है वह भी माईनिंग के क्षेत्र में आ जाये।

श्रीमती रामदुलारी सिन्हा : आपने इसको उल्टा समझ लिया है।

श्री राम अवधेश सिंह : मैं इसको उल्टा नहीं समझ रहा हूं। मैं समझता हूं कि आज तक शायद ही कोई ऐसा कानून देश में बना हो जिसके तहत यह कहा गया हो। चाहे कोई छोटा भी कान्ट्रेक्टर हो, 10 हजार का हो, 15 हजार का हो ऐसा कभी नहीं हुआ कि उससे इनकम सर्टिफिकेट न मांगा गया हो। लेकिन जिसमें लाखों करोड़ों रुपये का इनवाल्वमैन्ट है उसमें आप कहते हैं कि इनकम टैक्स सर्टिफिकेट नहीं चाहिये। इसका मतलब क्या है? इसका मतलब साफ है कि कहीं पर निगाहें कहीं पर निशा है। आप चाहते हैं कि इनकम सर्टिफिकेट को हटाकर हम ऐसे तमाम लोगों को जो आपके नजदीकी हैं, आपका पक्षपाती है, उन तमाम ब्लैक मार्केटियर्स को खनन के क्षेत्र में लाकर खड़ा कर दें। इसको देखकर मुझे बड़ा आश्चर्य हुआ। शायद ऐसा बिल आज तक इस पार्लियामैन्ट में आया ही नहीं है जिसमें रुपयों का इनवाल्वमेंट लाखों करोड़ों का हो और उसमें बिना इनकम सर्टिफिकेट के लाइसेंस दे दिया गया हो और खनन का काम चालू करने के लिये कह दिया जाय। यह पहला एक्साम्पल है। इस संबंध में मैं क्या कहूं। जवाहर लाल जी ने जिस समाजवादी समाज की कल्पना की थी, और जो श्रीमती इंदिरा गान्धी की इच्छा थी और जिसके आधार पर कोल का नैशनलाइजेशन हुआ, मुझे लगता है कि छोटे-छोटे खनन के जरिये आप उस ओर आगे न बढ़कर आप प्राइवेट सेक्टर की ओर जा रहे हैं। आपके पूंजीपतियों ने यह लिखना शुरू कर दिया बड़ी-बड़ी हैड लाइंस में

है कि गवर्नमेंट प्लेड रोल आफ प्राइवेट सेक्टर। प्राइवेट सेक्टर के बारे में आज अखबार वालों ने यह लिखना शुरू कर दिया है कि अब मिनरल्स के क्षेत्र में बड़े बड़े पूंजीपतियों को मौका मिलेगा। समाजवादी समाज की रचना की दृष्टि से यह निश्चित किया गया था कि क्योंकि मिनरल्स की देश के विकास में एक बहुत ही अहम भूमिका है, इसलिये इसको सरकारी क्षेत्र में रहना चाहिये एक्सक्यूसिव्ली सरकारी क्षेत्र में रहना चाहिये। यह उनकी मान्यता था। लेकिन आप लोगों ने जो कदम उठाया है इस कदम में ऐसा लगता है कि इसको आप प्राइवेट सेक्टर की ओर ले जाना चाहते हैं। महोदय, मैं आपके माध्यम से यह अपील करना चाहता हूं कि इस ऐक्ट से सेन्टर का कन्ट्रोल बढ़ा है और इसमें राज्य की हिस्सेदारी घटी है। हमारे जैसे लोग चाहते हैं कि इसमें राज्य की हिस्सेदारी बढे और सेन्टर का कन्ट्रोल घटे। बिहार के बारे में जैसा कि सभी माननीय सदस्य कहते हैं कि बिहार में 45 फीसदी मिनरल रिजर्व है। लेकिन वहां जो रायल्टी होती है उसका जितना भाग उसको मिलना हो चाहिये उतना उसको नहीं मिलता है और इसकी वजह केन्द्र सरकार नहीं सोचती है। आज वहां पर जो मिनरल्स है उनका किस तरह से उपयोग किया जाय और कैसे वहां की आर्थिक स्थिति को सुधारा जाय, वहां की इनकम बढाई जाय इसके बारें में केन्द्रीय सरकार नहीं सोचती है। मुझे अफसोस के साथ कहना पड़ता है कि हमारे राज्य की माननीय राज्य मंत्री श्रीमती सिन्हा हैं, लेकिन इस संबंध में (व्यवधान) लगता है कि उन्होंने भी इस पर सोचा नहीं है। मंत्री महोदय का इस को तैयार करने में कोई संबंध नहीं है। अफसर लोगों ने इस बिल का ड्राफ्ट तैयार किया है और उन्होंने इसे ब्लैक मार्केटियर्स लोगों के साथ मिलकर तैयार किया है। हां, इसमें इतना जरूर किया गया है कि जुर्माने की राशि बढ़ा दी गई है लेकिन वह भी किस अनुपात में 14 साल पहले जहां जुर्माने की राशि 1 हजार थी उसको पांच हजार कर दिया गया। जहां पांच हजार थी, उसको 10 हजार कर दिया गया। मतलब यह है कि जिस अनुपात में महंगाई बढ़ी है 14 साल पहले जो एक हजार रुपये की कीमत थी वह पाँच हजार की कीमत है। तो मंत्री महोदय ने जो कानून तोड़ने वाले हैं उनके लिये थोड़ी सी महंगाई के अनुपात में जुर्माने की राशि बढ़ा दी है इससे लगता होगा कि शायद जुर्माने को थोड़ा सख्त किया गया है लेकिन सख्त आपने नहीं किया है आपने तो इतना ही किया है कि 6 महीने के बदले एक साल की सजा कर दी है और एक साल के बदले दो साल कर दी है लेकिन जहां तक पैसे के बारे में किया है तो ऐसे महंगाई का अनुपात बढा है आपने उसके लिये यह कहा कि पांच गुना महंगाई बढ़ गई है 14 साल में तो हम थोड़ा सा पैसा बढ़ देते है। सबसे गम्भीर सवाल जो हमारे बिहार में है वह है माफिया गिरोह। उसको कर्ब करने के लिये, उसको कंट्रोल करने के लिये कोई भी सख्त कदम उठाने की व्यवस्था नहीं की गई है। हमारे यहां माफिया गिरोह की पेरेलल सरकार चलती है। आप जानते हैं कि यह सरकार चाहती है तो कोई अफसर ले कर चलता है तो उसका पता उनको हो जाता है कि अमुक आदमी अफसर ले कर जाता है लेकिन खानें चलती है सैंकड़ों खाने चलती हैं और लाखों करोडों मन कोयला निकाला जाता है तो क्या उसका पता सरकार को नहीं होगा। सरकारी अफसरों को पता रहता है सरकार के सहयोग से सरकारी अफसरो के सहयोग से यह इल्लीगल खाने चलती हैं और मैं इस बात के लिये चार्ज करता हूं इस सरकार को कि यह सरकार जानबूझ कर के इल्लीगल माइनिंग आप्रेशन कराती है। यदि सरकार चाहे तो कानून के अंदर इस बात की पूरी व्यवस्था की जा सकती है कि जो इल्लीगल माइनिंग आप्रेशन होते हैं उनको किस तरह से पकड़ा जायेगा उसके लिये आप स्पेशल बटालियन तैयार

(श्री राम अवधेश सिंह)

करिये। हम लोगों को इमरजेंसी में पकड़ते थे तो एक आदमी पर 10 आदमी सी० आई० डी० के छोड़ देते थे और पूरी की पूरी कम्पनी लगा दिया करते थे डी० आई० जो० को बहाल करते थे पकड़ने के लिये कि कर्पूरी ठाकुर को पकड़ना है, राम अवधेश को पकड़ना है लेकिन यह माईनिंग आप्रेशन इल्लीगल तरीके से होता है और लाखों करोड़ों मन कोयला निकलती है, क्या सरकार को इस बात का पता नहीं रहता है, पता जरूर रहता है लेकिन आपको उस माफिया गिरोह से चन्दा मिलता है चुनाव लड़ने के लिये इसलिये आप रोकते नहीं हैं। मैं सरकार से कहना चाहता हूं कि कड़े से कड़े कदम उठाये जायें। (व्यवधान)

श्रीमती रामदुलारी सिन्हा : यह बिलकुल गलत है (व्यवधान)

श्री राम अवधेश सिंह : आपको इस कानून को लाना चाहिए यदि नहीं लाते हैं तो मुझे लगता है कि माफिया गिरोह के साथ घूम फिर कर आपका सम्बन्ध हो गया है। जहां तक रायल्टी का सवाल है मैं यह मांग करता हूं कि जो बिहार से खनिज निकलते हैं उनकी रायल्टी की राशि बढ़ाई जाए क्योंकि हमारे पास खनिज ज्यादा हैं और जहां से खनिज निकलते हैं भारी मात्रा में धन निकलता है वहां तो पर कैपिटा इनकम हिन्दुस्तान में सब से कम है और वहां से खनिज निकाल कर के पंजाब, महाराष्ट्र गुजरात में जाते हैं वहां की पर कैपिटा इनकम 1800, 2100 रुपये पर एन्नम है। लेकिन हमारे यहां यह 600 रुपये पर एन्नम है मैं यह कहना चाहता हूं कि हमारी भूमि के तहत जो हमारी सम्पत्ति है उसका उचित मूल्य हमें दिया जाए। अगर नहीं देंगे तो वह दिन दूर नहीं है जब हमारे जैसे लोग इस सरकार का बाज पकड़ेंगे वहां से कोयला, अभ्रक, मैंगनीज और बाक्साइट आने पर रोक लगाएंगे इसके लिये हम लोग सत्याग्रह करेंगे सरकार को चलने नहीं देंगे, इसके लिये हम लोग किसी हद तक जायेंगे। आज पानी के सवाल को लेकर पंजाब और हरियाणा में क्या मचा हुआ है, कर्नाटक और आन्ध्र में क्या हो रहा है। लेकिन हमारे यहां से धन निकालकर ले आते हैं और हमको गरीबी में डाले रहते हैं इस बात को हम लोग बर्दाश्त करने वाले नहीं हैं (समय की घंटी) एक बात और कहूंगा। मैं क्लाज वाइज बोलना चाहता था।

उपसभाध्यक्ष (श्री संतोष कुमार साहू) : टाइम नहीं है, एक मिनट में जो कहना है बोल दीजिये, केवल एक मिनट में।

श्री राम अवधेश सिंह: इसमें प्रदूषण के नाम पर जो कहा गया है, पहले भी टर्मिनेट कर सकते हैं हम, तो प्रदूषण के नाम पर टर्मिनेट किया जा सकता है यह पावर सरकार अपने हाथ में ले रही है लेकिन जब इंडस्ट्री को नहीं रोक सकते हैं जैसे सीमेंट का कारखाना, लोहे के कारखाने, फर्टिलाइजर्स के कारखाने, इनसे वातावरण में जो प्रदूषण होता है आप उसको नहीं रोक सकते हैं तो उसी ढंग से जो बड़े पैमाने पर पूंजी लगाकर इनको चलाता है उनको भी नहीं रोक सकेंगे। फिर आप रोकेंगे किसको? जो आपके मन के प्रतिकूल पड़ेगा उसको आप कानून में हथियार लेकर रोक देंगे और जो आपको चंदा देगा, भारी मात्रा में चुनाव लड़ने के लिये उनको कहेंगे नहीं ठीक है प्रदूषण नहीं होता है, रिपोर्ट उससे मांग लेंगे। इसलिये दो तरह की बातें नहीं चलनी चाहिये। धन्यवाद।

श्री कल्पनाथ राय (उत्तर प्रदेश) : आदरणीय उपसभाध्यक्ष महोदय, जो माइन्स मिनरल्स संशोधन विधेयक आदरणीय पंत जी के द्वारा लाया गया है हम उस का समर्थन करते हैं। मैं पंत जी की इसलिये सराहना करना चाहता हूं कि जब से उन्होंने इस मंत्रालय का कार्यभार संभाला है तब से स्टील, माइंस मिनरल्स विभाग में भारी सुधार हुआ है। ये देश

का काम कर रहे हैं। इसलिये श्री राम अवधेश सिंह जैसे व्यक्ति को उनकी सराहना करनी चाहिये न कि कीचड़ उछालने का काम करना चाहिये (व्यवधान) ये समाजवाद की बात करते हैं मैं राम अवधेश जी से पछना चाहता हूं कि आप तीन वर्ष यहां हकूमत में थे, आप भी यहां मेम्बर आफ पालियामेंट थे क्या आपने एक कदम, एक पैर भी समाजवाद की दिशा में आगे बढ़ाया (व्यवधान)

श्री राम अवधेश सिंह: हम लोगों ने जितना किया ये 30-35 साल में भी नहीं करेंगे...

श्री कल्पनाथ राय: यह महान शर्म की बात है कि जिन लोगों ने इस राष्ट्र में समाजवाद की दिशा में एक कदम आगे नहीं उठाया वे बहुत बेशर्मी से यहां कहते हैं कि हमने बहुत बड़ा काम किया (व्यवधान)

श्री राम अवधेश सिंह: मेरा पाइंट आफ आर्डर है। (व्यवधान)

हमने कीमतें बांधी थी सबसे पहले... (व्यवधान) हम लोगों ने अपने राज्य काल में सब चीजों की कीमतें बांधी थीं और ये जब से आये हैं 80 के अंदर तब से तीन गुना कीमतें कर दी है, लोगों की कमर टूट गयी हैं। ये क्या बात करते हैं। खुद शर्म नहीं आती हैं।

उपसभाध्यक्ष (श्री संतोष कुमार साहू): यह पाइंट आफ आर्डर नहीं है।

श्री कल्पनाथ राय: कोयला खदानों का राष्ट्रीयकरण किसने किया, यह कांग्रेस सरकार ने किया श्रीमती इंदिरा गांधी जी ने किया। हिन्दुस्तान के संविधान में है कि इंडिया बिल बी ए सोशलिस्ट स्टेट। यह काम किसने किया? श्रीमती इंदिरा गांधी जी ने किया, बैंकों का राष्ट्रीयकरण किसने किया? श्रीमती गांधी ने, राजा महाराजाओं के प्रिवीपर्स को किसने समाप्त किया? श्रीमती गांधी ने। हम समाजवाद की दिशा में बढ रहे हैं। यह आप कह सकते हैं कि जितना तेजी से कदम उठाना चाहिये वह नहीं है यह तो समझ सकते है (व्यवधान)

श्री राम अवधेश सिंह: सारे राजकुमार आपके साथ हैं।

श्री कल्पनाथ राय: यह आज जो संशोधन लाया गया है आदरणीय पंत जी द्वारा आप यह मानिये कि जिस दिन से उनके मंत्रालय ने इस विभाग को लिया है आपके लोहे के प्रोडक्शन में वृद्धि हुई है, माइन्स मिनरल्स के अन्दर सुधार हुआ है। यह बात आपको माननी चाहिए कि उनके अफसरों को और उनमें और भी ज्यादा उत्साह हो, इस विभाग को और ज्यादा अच्छा बनायें ताकि वह राष्ट्र का काम कर सकें।..... (व्यवधान)

श्री राम अवधेश सिंह: आपने कितना बनाया है? ...(व्यवधान)

श्री कल्पनाथ राय: मान्यवर, हमारे मित्र, श्री जगदम्बी प्रसाद यादव ने नीति की बातें उठाई, हालांकि यह सिद्धांत ऐसा नहीं है।

(श्री उपसभापति पीठासीन हुए)

यह संशोधन ऐसा नहीं है कि इसमें नीति का सवाल उठाया जाए। जगदम्बी प्रसाद जी आप जानते हैं कि हिंदुस्तान की इंडस्ट्रियल पालिसी रेजोल्यूशन 1956 में जो बना, जिसमें हिंदुस्तान की दिशा निदेशन, हिंदुस्तान की दिशा क्या होगी, हमारी नीतियों की दिशा क्या होगी, उसका भी श्रेय श्री जवाहरलाल नेहरु को है। आप लोगों ने भी--आप भी केन्द्रीय मंत्रिमण्डल में रहे हैं, आपने कोई हिंदुस्तान को दिशा दी है, आपने कोई संशोधन नहीं किया, आपने कोई इंडस्ट्रियल पालिसी रेजोल्यशन नहीं बनाया, आपने कोई समाजवाद की दिशा व इस मुल्क को आगे बढ़ाने की दिशा में कोई काम नहीं किया, जो आपको मानना चाहिए।

कुछ बातें जगदम्बी प्रसाद यादव जी ने कहीं कि रायल्टी बढ़ानी चाहिए, इससे मैं सहमत हूं। दूसरी बात जिन प्रदेशों

[श्री कल्पनाथ राय]

में मिनरल्ज बोर्डस कारपोरेशन हैं, उनका काम ठीक ढग से संचालित होना चाहिए। पंत जी मेरा आपसे निवेदन है कि जिन प्रदेशों में मिनरल्ज बोर्डस कारपोरेशन स्थापित किये गये हैं, उनका काम ठीक ढंग से संचालित किया जाना चाहिए।

यह जो संशोधन लाया गया है--

"The Mines and Minerals (Regulation and Development) Act, 1957 provides for the regulation of mines and the development of minerals under the control of the Union. Since the last amendment of the Act in 1972, many problems have come to the fore. The adverse effect of mining operation on ecology and environment have increasingly come to notice. In many cases, mining operations have been undertaken without proper prospecting resulting in unscientific mining. Further, a number of Committees have stressed the need for amending certain provisions of the Act with the object of removing bottlenecks and promoting speedy development of mineral based industries. State Governments and representatives of trade and industry have in formal forums like the Mineral Advisory Council as well as in other forums, expressed the desirability of taking a fresh look at the various provisions of the Act with a view to making them more effective and development-oriented."

आदरणीय उपसभापति जी, इस संशोधन का उद्देश्य यह है कि जो हमारे मुल्क में वातावरण प्रदूषित हो रहा है, जो पूरे मुल्क के अंदर इकालोजी और इनविरनमेंट का संकट उपस्थित हो गया है, जो हमारे मिनरल की खदानों के कारण जो हमारे पहाड़ों के पेड़ नष्ट हो रहे हैं और जो हमारा वातावरण विषाक्त बन रहा है, उनको रोका जाए। मिनरल्ज के काम को भी डेवेलप किया जाए और उसके साथ-साथ हमारा इकालोजिकल बैलेंस भी न बिगड़ने पाये, इसको भी प्राथमिकता दी जाए।

मैं पंत जी से निवेदन करना चाहता हूं कि जिन इलाकों में माईनिंग का लीज उन्होंने दिया है, तो माईन आपरेट करने वाले लोगों को यह हिदायत होनी चाहिए कि जितने एकड़ या मीलों में उन्होंने माईंस खोदी हैं या जो मैटीरियल्ज निकाले हैं, उन स्थानों पर वह पुनः पेड़ों को लगायें ताकि जिन पेड़ों को माईनिंग के कारण नुकसान होता है, जब माईनिंग का काम खत्म हो जाए, तो वहां पर उतनी ही मात्रा में या दुगनी मात्रा में पेड़ लगाये जाएं, जिनको लायसेंस दिया जाए उसके साथ यह भी शर्त होनी चाहिए कि उनको माईनिंग का काम करने के बाद जो एक-दो एकड़ या एक-दो मील में आपने जो खजिन पदार्थ निकाला है, इसमें आप पेड़ों को भारी मात्रा में लगायें, ताकि जो पर्यावरण का संकट देश में उपस्थित हो रहा है, उसको दूर किया जा सके।

यहां बहुत से मित्रों ने बहुत सी बातें कहीं, लेकिन एक बात में पंत जी से निवेदन करना चाहता हूं कि माईनिंग और मिनरल्ज की प्रोडक्शन को हिंदुस्तान की सरकार को बहुत बड़ा प्रायरटी देनी चाहिए, जितना हो ज्यादा हम मिनरल्ज और माईंस की खुदाई कर सकेंगे अपने मुल्क में, उसका सर्वे करा सकेंगे, अपने मुल्क के भिन्न-भिन्न प्रांतों का सर्वेकरवाना चाहिए, इसकी जानकारी की जानी चाहिए कि हिंदुस्तान के किन-किन इलाकों में कौन कौन सी मिनरल्ज ज्यादा मात्रा में हैं। बाक्साइट उड़ीसा में मिला है जिसकी दुनिया के बाजार में बड़ी कीमत है।

तीसरी बात यह निवेदन करनी है कि जो हमारे मिनरल्ज हैं उनके सम्बन्ध में अन्तर्राष्ट्रीय बाजार में खोज की जानी चाहिए कि किन-किन वस्तुओं की मांग दुनिया के बाजार में है और इस बात की कोशिश करनी चाहिए कि हमारे जो मिनरल्ज हैं वे ज्यादा पैसे पर अन्तर्राष्ट्रीय बाजार में बिकें ताकि फारेन एक्सचेंज के संकट से हम पार पा सकें और अपने मुल्क को दुनिया के अन्दर विकसित देश के रूप में प्रतिष्ठित कर सकें।

'47 की आजादी के बाद हमारी सरकार ने जो पब्लिक सेक्टर बिल आकूपाई दि कमांडिंग हाइट आफ दि इकानामी को नीति स्वीकार की उस नीति हमारी सरकार कायम है । पंडित जवाहरलाल नेहरू ने उस नीति को आगे बढ़ाया । श्रीमती इन्दिरा गांधी ने और मजबूती से उस नीति को आगे बढ़ाया । श्री राजीव गांधी उसी नीति को आगे बढ़ाने के लिए कृतसंकल्प हैं । उन्होंने कहा है--"आई रिएफर्म माई फेथ इन सोशलिज्म" । इसलिए आपको उस पर विश्वास करना चाहिए ।

तीसरी बात मैं पन्त जी से कहना चाहता हूं कि आज अमेरिका में 150 मिलियन टन इस्पात का उत्पादन हो रहा है, रूस में हो रहा है 150 मिलियन टन, 120 मिलियन टन का उत्पादन जापान में हो रहा है । जापान शक्तिशाली देश के रूप में उभर कर दुनिया के रंगमंच पर आया है । कितनी इंडस्ट्रियल एफीशिएंसी जापान की है । जापान में छटांक भर कोयला भी नहीं होता, एक क्विन्टल आइरन ओर नहीं होता । जापान दुनिया के अन्य देशों से आइरन ओर खरीद कर, कोल खरीद कर उसका प्रोडक्शन करता, है और इन्टरनेशनल मार्केट में चीपेस्ट दाम पर बेचता है । यह उसकी इंडस्ट्रियल एफीशिएंसी का नमूना है ।

हमने संकल्प किया है कि गरीबी को साइंस और टेक्नोलोजी के माध्यम से हटाएंगे, साइंस और टैक्नोलोजी का इस्तेमाल करके धरती के पेट में जो खनिज पदार्थ हैं उनको निकाल कर भारत के पिछड़ेपन और गरीबी को दूर करेंगे । हमारा विश्वास है कि हिन्दुस्तान की माइन्स और मिनरल का सर्वे कराया जायेगा, चाहे वे इसके लिए हिन्दुस्तान के वैज्ञानिकों का उपयोग करें या अन्य देशों से मदद लेनी पड़े । हिन्दुस्तान की धरती के पेट में कितने मिनरल्स हैं, कितने हैं उसका सर्वे कराकर उन्हें दुनिया के बाजार में ज्यादा से ज्यादा दाम पर बेचकर मुल्क की ताकत को बढ़ाएं और राष्ट्र के सामने बैलेंस आफ पेमेंट का, फारेन एक्सचेंज का जो संकट है उसको दूर करें ।

उपसभापति महोदय, मैं पंत जी को धन्यवाद देता हूं कि उन्होंने इकोलोजिकल बैलेंस को मैंटेन करने का संशोधन पेश किया है । किसी भी देश के जिन्दा रहने के लिए 33 परसेंट फारेस्टरी होनी चाहिए । आज हमारे यहां 17–18 परसेंट फारेस्टरी है । श्रीमती इन्दिरा गांधी ने सोशल फारेस्टरी को प्राथमिकता दी है । हमें विश्वास है कि आपके विभाग के माध्यम से फारेस्टरी का काम, इकोलोजिकल बैलेंस को ठीक करने का काम, एनवाइरनमेंट को ठीक करने का काम होगा । खनन के साथ करोड़ों-अरबों पेड़ लगाने का काम भी आप करेंगे तो मुल्क के पर्यावरण को ठीक बनाने में बहुत सहयोग करेंगे । मुझे विश्वास है कि आपके नेतृत्व में माइन्स मिनरल्स और स्टील मिनिस्ट्री उत्तरोत्तर विकसित होगी और राष्ट्र का आकांक्षाओं के अनुरूप सातवीं पंचवर्षीय योजना के जो उद्देश्य निश्चित किए गए हैं उनके अनुकूल साबित होगी और इस राष्ट्र को देश के नेता राजीव गांधी के सपनों का शक्तिशाली भारत इक्सीसवीं शताब्दी में शक्तिशाली भारत के रूप में दुनिया के रंगमंच पर ले-जाने में सफल होगी । इन शब्दों के साथ मैं इस संशोधन विधेयक का समर्थन करता हूं ।

श्री विठ्ठलभाई मोतीराम पटेल : (गुजरात) : उपसभापति महोदय, सब से पहले तो मैं मंत्री महोदय को धन्यवाद देना चाहता हूं कि वह देरी से सही, लेकिन यह बिल लाए हैं । यह बिल तो बहुत सालों पहले आना चाहिए था । (व्यवधान) आप की बात मैंने सुनी, अब आप लोग हमारी बात सुनिये । जो अमेंटमेंट इस एक्ट की सेक्शन 9 में किय गया है और जिस के चलते 4 साल को 3 साल किया गया है वह बहुत अच्छा है । लेकिन मैं चाहता हूं कि मंत्री महोदय इस में क्रूड आयल और गैस की रायल्टी के रेट्स को भी चार साल के बदले 3 साल के बाद रिवाइज करने की व्यवस्था कर दें । हर चार साल में वे बदलते हैं । इस में यह संशोधन कर दिया जाय । सब में करते हैं तो क्रूड आयल और गैस को भी इस में शामिल कर लिया जाये ।

[श्री किशुनभाई मोतीराम पटेल]

और इस के लिए गुजरात और असम गवर्नमेंट की मांग है और मैं समझता हूं कि इस मांग को आप भी स्वीकार कर लेंगे।

दूसरी बात यह है कि स्टील और कोल का हमारे यहां प्रोडक्शन बहुत कम है। एक छोटा सा देश कोरिया है जहां एक लाख वर्कर्स 9 मिलियन टन स्टील का उत्पादन करते हैं। और हमारे यहां 17 लाख वर्कर्स 6.5 मिलियन टन स्टील का उत्पादन करते हैं। यदि इस काम में ट्रेड यूनियन्स कोआपरेशन दें तभी इस का प्रोडक्शन बढ़ सकता है। अभी तो ट्रेड यूनियन वाले हर दूसरे दिन हड़ताल कराते रहते हैं और इसकी वजह से हमारा प्रोडक्शन कम होता है और उस से सारे देश का नुकसान होता है।

इसी तरह से (व्यवधान) कोल में हमारे देश में प्रति वर्कर प्रोडक्शन 0.85 टन होता है और खर्च 102 रुपये आता है। चीन में प्रति वर्कर 2.5 टन प्रोडक्शन होता है और खर्च 24 रुपये आता है। तो हमारे देश में प्रति वर्कर प्रोडक्शन किस प्रकार बढ़े यह हम को सोचना चाहिए। मैं भी कम्युनिस्ट कंट्रीज में गया हूं और मैंने देखा है कि वहां लेबर लाज क्या हैं। वहां के वर्कर्स को कोई अधिकार नहीं हैं। केवल उन की जिम्मेदारी है और उन को प्रोडेक्टिविटी को वेजेज के साथ लिंक किया हुआ है। तो हमारे देश में भी प्रोडक्टिविटी को जब तक वेजेज के साथ लिंक नहीं किया जायगा तब तक प्रोडक्शन नहीं बढ़ेगा।

मैं माननीय मंत्री जी से कहना चाहता हूं कि पिछले एक दो सालों में कोयले का, स्टील का प्रोडक्शन बढ़ा है, लेकिन अभी भी वह बहुत कम है और उस की वजह से प्रति वर्कर खर्च भी बढ़ा है। तो अगर हम को 21वीं सदी में जाना है तो इस के बारे में हम को सोचना पड़ेगा। और जो हमारी ट्रेड यूनियन्ज हैं ज्यादातर कोल और स्टील सेक्टर में हैं। उन को कहा जाय कि जो कम्युनिस्ट कंट्रीज में लेबर लाज हैं उन को यहां भी लागू कर दिया जाय और पब्लिक सेक्टर में तो उन को कोआपरेशन देना ही चाहिए, भले ही प्राइवेट सेक्टर में वे कुछ भी करें। देश में जितनी भी इंडस्ट्रीज हैं उन में प्रति वर्कर प्रोडक्शन बढ़ना चाहिए और यह जरूर है और इस के लिए ट्रेड यूनियन्स को पूरा कोआपरेशन देना चाहिए। नहीं तो सरकार को इस बारे में गम्भीरता से सोचना चाहिए।

अंत में मैं मंत्री महोदय से विनती करूंगा कि क्रूड आयल और गैस की रायल्टी को चेंज करने का रूल भी 3 साल का कर दिया जाय।

SHRI K. C. PANT: I would like to thank all the hon. Members who have participated in this debate for the interest that they have taken in studying the Bill, for their very informed comments and for touching upon a very wide canvas which covered not only mining of the minerals which are mentioned here but also coal, petroleum and gas. And certain aspects of this whole subject of mining came up which I think deserve a response. I would like to assure Members that the suggestions that they have made will be given due consideration by us. We shall go into those suggestions and we shall try to benefit from them. Even though I shall try, it may be difficult for me to respond to each and every point that has been made.

There was a reference, for instance to the role of minerals in the development of any economy, to the mineral endowment of India, to the way in which the prospecting of minerals has to be stepped up, to the way in which ore analysis has to be improved, the way in which the mining of different kinds of minerals has to be stepped up. The States have to benefit, the Centre has to benefit. Employment has to be increased. These are all areas of natural concern to all Members. I express my gratitude to the Members for supporting this Bill with perhaps the sole exception of Shri Ram Awadesh Singh. I have heard Shri Babul Reddy's speech very carefully and he also supported. So did Shri Jagdambi Prasad Yadav. He is the sole exception and he too accepted it if

you listened carefully. What he said was that on the surface he found it very attractive. But when he delved deep into it, he found something objectionable and came up with only one point with which I shall deal later. The rest has been dealt with by Shri Kalp Nath Rai very effectively.

Now, so far as the peculiar advantage of mining is concerned, apart from the obvious creation of wealth and employment, it is possible to have decentralised activity with mines, small mines spread all over the country. Therefore, in the matter of basic policy from the earliest days mining has not been exclusively kept for the public sector. And I think Mr. Singh knows this. It is possible for a geologist, somebody who has not even got a degree in geology, living in some remote area, for him to go in for a prospecting licence. So this advantage should not be lost and that is why although I shall deal with the point later, I agree with Shri Babul Reddy that this is an activity which should be utilised to create or generate a lot of employment all over. I think it is possible to do this provided one encourages new entrepreneurs to come in. Therefore, one of the thrust of this Bill is to see that areas are no cornered, to see that the length of the lease period is reduced somewhat, to see that new people are induced to come in or are encouraged to come in. This is one of the important considerations behind some of the provisions of the Bill.

I must say a couple of words about the export aspect of mining. Some Members raised the point that export of minerals should not take place. I think Sukulji said that. Some other Members also said it. And some Members, on the other hand, said that export is necessary and must be encouraged. I think the problem is a little complex. On the one hand we export, say, iron ore which is our good iron ore; we export to Japan; Japan converts it into steel and sells it in the world. Japanese industry has high efficiency. But we are exporting good iron ore. There is no doubt about it. But then we have to see what the extent of our reserves is and we have to see what the rate is at which we are today manufacturing iron and steel, how many years' projections can be made and what would be a reasonable expectation for our indigenous industries to need iron and steel in the future. We have to take all these into account. If we export iron ore and earn some foreign exchange at a time when every rupee of foreign exchange is precious, then we cannot ignore these factors. So, we have to take a very rational and balanced view of this problem. I was in Australia recently and I found that Australia is exporting not only iron ore, but also it is exporting bauxite, it is exporting steel and, in a way, is exporting a lot of raw materials. So, I asked them, "Why are you exporting all these items?". The answer was very simple. They said, "We need foreign exchange and so, we are exporting them.". So, in the field of minerals also, I do not think that it is possible to say, "Don't export minerals.". But we will try and we should try to export minerals as far as possible to develop our indigenous industries and there cannot be two opinions. But, obviously, it will be conditioned by the demand for the end-product and it will be conditioned by the capital resources that we have to invest in these industries. Both these become the limiting factors. Now, Sir, there was a specific reference to the need to export, and encourage the export of, diamonds and all jewellery made of gold. Well, I think Rameshwar Thakurji mentioned that and he referred to certain figures indicating the rapid growth in the export of these materials. I can assure him that these are matters which are constantly under review and these exports are being encouraged.

So far as the question of efficiency of our mining is concerned, that is a very wide subject. It changes from one kind of mining to another. It is different in the open-cast mines; it is different in the underground mines. But I would agree with Mr. Patel that we need to bring our efficiency standards as close to international levels as we can. Today, Sir, mining, large-scale mining at any rate, is a capital-intensive proposition and it requires a lot of money. If, today, any developed country is using that machinery and is getting a certain output from it and if we use the same machinery and get half of that output or even one-quarter of that output, then we as a poor country cannot afford it. I personally think that we in this House must make our minds that if we are going to use modern machinery, we must get the best out of that machinery. Otherwise, we

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would be getting the worst of both the words. We will use the expensive machinery and will not get the output. So, we will lose on both sides. I think here I will have the support of all sides of this House and every Member of this House in seeing to it that we increase our efficiency, we increase the efficiency of our mining operations and the output per man-shift or any other measure of efficiency or productivity that we might have. Without that we cannot possibly compete in the world and any kind of export today which is done at a loss—I am afraid that some of our export is being done at a loss—is again a double loss to the country. We export our raw material and we export it at a loss. Therefore, 'efficiency' is one of the key words that was used in this debate today and I certainly welcome that.

I think Jagdambi Prasad Yadavji has raised the question of completion of projects in time. That again is an extremely important matter and each of the projects must be completed in time. Again that is linked to the ultimate cost at which we produce these minerals and even within our own country, unless we produce the minerals cheap, the industries that are based on those minerals like iron and steel or aluminium or zinc or copper will become high-cost industries. The net result is that people in our own country cannot buy these materials as much as they should. In other words, at a certain level we are in danger of pricing ourselves out of our own country, because the purchasing power in the country is low; it is a poor country and, therefore, we must not allow the cost of production to rise. There is a danger that if we allow inefficiencies not to be removed, if we do not allow the efficiencies to strike root in this country, then we will not get full advantage of modernisation in our mining sector.

Sir, there is a lot of emphasis on scientific mining. Many Members welcomed it, and one of the very important provisions in this Bill is that before getting the mining lease, after getting the licence, a mining plan must be prepared, and that is very important, because a mining plan not being prepared today means that the safety aspect is in danger, the efficiency aspect is not there, there is the danger of slaughter mining, the conservation aspect is ignored, so on and so forth. Therefore, a mining plan being made a pre-condition is one of the very good features of this Bill which has been welcomed by various Members who spoke.

Now, on the question of ecology and environment a lot has been said already, and I don't think that I need take the time of the House because there is nobody who really ignores the need for the measures to serve ecology or the environment, and I think even there Shri Ram Awadesh Singh will agree with the objective. He may think that it can be misused, but basically I am sure he would agree with the objective. And so the only point that one has to see here is the point made by somebody who said that the forest policy is slowing down the rate of mineral development and therefore the requirements of environment and protection are clashing with the requirements of mineral development. To some extent this is true. But I think again all of us will agree that we cannot but take a balanced view of this problem. In other words, what has been happening so far has certainly been at the cost of preservation of the environment in many cases, not in all cases. I can speak with experience, for instance, about Neyveli Lignite. For so many years it has been restoring the land to the old position and restoring the vegetation also as exactly as it was doing in the past. BALCO in Madhya Pradesh has been taking up bauxite and restoring the land and improving upon it. In fact, they improved upon the land that was given to them. There are other instances. So many instances one can cite where the environment has suffered grievously.

Now, the question of restoring the land exactly to its old condition can be a costly exercise. But then it is also costly to mortgage the future of this country. It is a very costly thing. And therefore, we have to be very cautious in coming to very generalised conclusions. I would say that while we have to see that we do not allow

the mining to suffer we should be in a position to persuade the Forest Department and environmental authorities to go along with us. In other words, we could make provisions for the restoration of land to an extent, be scientific in our approach. And I think then perhaps the two departments can find a common approach in this matter. I don't take a departmental view of it. I think, it is in the national interest that the environment must be preserved. It is also in the national interest that mining activity must be stepped up. And, therefore, it is for us to find a proper way to balance these two objectives.

Sir, there was a reference to granite mining, and two friends from Tamil Nadu referred to it. I do not want to go into this matter. But I have met people who have referred to this particular difficulty, to the difficulties that they have faced in getting leases for granite and so on. Now, I do not want to expand on this but I do hope that the export market will be fully exploited to which Mr. Thangabaalu referred. And he said that it will rise to Rs. 100 crores by 1992-93. Well, that is a very welcome news. And, at the same time, I hope that the neighbouring States are not altogether denied the use of granite which after all can serve the people of Tamil Nadu as well as the neighbouring States. There is, I think, enough of granite and if we take a generous approach in this matter, the State usually does not suffer. But it is for the State to take a generous attitude and, I think, the State itself will look into the matter and take the right attitude, and I leave it to them.

Sir, there was a reference to the National Mineral Policy. Somebody said that there was no National Mineral Policy. We have, in fact, got the Draft of a National Mineral Policy and we are in the process of consulting the States, we are in the process of consulting the concerned Central Government Departments. And we have once discussed this Draft in the Consultative Committee of the Ministry. And we have had a very good discussion. So, we shall finalise this document pretty soon. But while doing so, we shall take into account the various points which have been made by the hon. Members here.

Sir, a reference was made to Gandmardan. This is a project in Orissa. And this is a project for mining bauxite and supplying it to the BALCO which is the public sector plant for the production of aluminium. I can assure my hon. friends from Orissa and I think what I said about ecology and environment will have convinced them that I am no less concerned then anybody else in the matter of environment. Therefore, I assure the hon. Members that we shall always keep that in mind, and the State Government and the Forest Department of the State Government have also looked into the scheme. They have approved of it. They have set up a Committee which has approved of it. The Central Government and the various concerned Departments have looked into it. And in any case, we shall go into any aspect of the matter that is brought before us. And, ultimately, as I said, we shall proceed with the scheme in a manner which will ensure that there is minimum possible environmental damage. So, this is a matter which is very much in our minds and he need have no undue concern on this account.

Shri Poddar referred to the question that we have dispensed with the certificate of approval. Some other hon. friends also later on referred to this matter of certificate of approval, as to why we have dispensed with it. I think, Shri Babu Reddy also referred to that.

SHRI RAM AWADESH SINGH: The income-tax.

SHRI K. C. PANT: I will come to that. I think, Sir, Shri Babul Reddy has a lot of experience in this field. And, I think, he would bear me out when I say that today the certificates of approval are given as a matter of course. There are no criteria for actually arriving at a judgment whether a certificate should be given or not given. It is just given as a matter of course. Therefore, it has become a hindrance without giving any advantage and so, I don't think one should carry on with unnecessary provision of this kind. Having a mining plan before issuing a mining lease is a very constructive thing and therefore, at the time of obtaining a mining lease, he will have to seriously approach the problem

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of mining, both from the short-term and the long-term view and he will have to come up with a mining plan, for which he will have to take the help of experts. So, it is not as though anybody can go in for mining, but to stop them from the beginning even for applying for a prospective licence will be to come in the way of the people, in the remote areas, in the way of unemployed youth etc., who may not otherwise get a chance to go into this field at all.

Similarly, on the income-tax certificate, I think there is perhaps a certain amount of lack of information because I think some people said that there is no case in which income-tax clearance certificate is not required. That is not the case. I went into the matter and found that the Commitee on Controls and Subsidies had recommended that the condition should be dispensed with—I am referring to the condition of income-tax clearance certificate—as similar changes have been made elsewhere, that is, the import licence where an affidavit about the filing of returns and clearance of tax dues is considered sufficient. This is the concrete example where it has been done. The Committee has recommended it and I personally thought that to insist on the income-tax certificate means that you automatically rule out the non-income tax payers. At least, a certain amount of doubt is created. Shri Babul Reddy referred to the question of status. Why should we go by status if a young man has the entrepreneurship to go in for mining on a small scale? Today we have schemes where he can go to a bank and get some money. Why should we stand in his way? If we cannot help him, at least we do not hinder him. So I personally think and the House may think over the matter that keeping in view the fact that mining plan is necessary before he can get mining lease, we can allow him some freedom to go ahead.

श्री राम अवधेश सिंह: मैं एक सूचना चाहता हूं । यह कैटेगरीकली कहना चाहिए कि किस अमाउंट से अधिक की माइनिंग आपरेशन में जाएगा तो उसको इनकम टैक्स सर्टिफिकेट देना है । अगर छोटे पैमाने पर दस हजार, पांच हजार या इतनी लिमिट तक होगा तो उसको सर्टिफिकेट देने की जरूरत नहीं है लेकिन बड़े पैमाने पर करना हो तो उसको इनकम टैक्स सर्टिफिकेट निहायत रूप से जरूरी होना चाहिए नहीं तो ब्लैक मार्कीटियर्स लोग कंट्रोल कर लेंगे सारे माइनिंग आपरेशन को ।

SHRI K. C. PANT: I do not share this fear because income tax certificates are also obtained by all kinds of people for all kinds of things, and the fact whether income tax is paid or not, what is the evasion of income tax etc., are other issues; but here I think in the case of levy of income tax, the realisation of income tax from somebody who has done mining, let the income-tax people tighten it as much as they like; I would prefer that; I would support them. But let the economic activity take place. By all means, let them tighten the entire procedure. Therefore. I am not at all in favour of evasion. But I am in favour of encouraging proliferation of the economic activity and allowing new people, young people, with or without the necessary resources, to go into this. And this is an activity where this might help. And if later on we find that it is not working well, we can always discuss it. I think you will appreciate the spirit in which I am approaching this problem.

Similarly, there was the question of time limit. I will go into this question because two or three suggestions have been made that within a certain time limit the mining lease should be given. In this connection I think Shri Babul Reddy suggested that the mechanism of deemed rejection should be done away with. Actually, that is the only mechanism which helps the applicant, because, when the State Government, for any reason delays giving the mining lease, then, this is one way where deemed rejection mechanism comes into play. He can come to the Central Government and the Central Government can direct the State Government to issue the licence within a given period. I do not think that this suggestion would help the applicant at all.

The wider question of condition of workers was raised by Yadavji and I do not want to go into that. But I do know of many cases where the condition of workers is not good. I certainly know the condition in the coal area. Yadavji referred to the coal area. It is not dealt with here. But as coal has been with me in the past and I have seen the Dhanbad area, I can fully understand his concern, whether it is in regard to water supply or shelter or schooling or health or environmental condition. I just mention it although it does not really arise from this Bill. Coal is under the purview of the Energy Ministry. It is dealt with by them. But nevertheless, the point is valid and I take note of it.

Sir, there was a reference to the need for beneficiation. Shri Sahu and Shri Babul Reddy made the point. This is an important point. Again, I will refer to it very briefly. Sir, we have good ores, we have medium ores and we have poor ores. We need to exploit all of them. The only way to exploit some of them is by beneficiating them. When we think of the efficiency of the industries in which these ores are used or we think of export, beneficiation has definite advantage. But beneficiation is quite costly. Let us not get away with the impression that beneficiation is cheap. Beneficiation is usually costly. It requires capital investment and, therefore, one has to balance as to what extent we can go in for beneficiation because ultimately it adds to the price of the ore that you sell. Subject to that, we can go in for this. So far as coal is concerned, to which, I think, Yadavji referred, certainly, in respect of coal, coking coal, beneficiation helps. Therefore, we do not use coking coal in our steel plants except after washing which is necessary to reduce the ash content. It costs a good bit. Nevertheless, it is necessary so far as the steel industry is concerned. I doubt very much whether this can be applied automatically to all other sectors. At the same time, I accept the general point that beneficiation today is becoming more and more important both from the point of view of reducing the load on the transport sector and from the point of view of increasing efficiency.

Yadavji wanted to know why, today, India is not in a sellers market so far as iron ore is concerned, in relation to Japan, in particular. Well, he knows that the international market is governed by demand and supply. The steel industry has been stagnant for several years. Today, the demand and supply position is such that the seller is not in a position to dictate the market. I think, this is a fact which anybody who has gone into the iron ore market condition knows. If he is particularly interested, I will be very glad to give him the details, but it is not in our country's interest to give too many details about such matters. But the general market condition in iron ore is that it is not a sellers market and we have to live with that.

There was a reference to deep-sea mining by Shri Babul Reddy and to remote sensing by Shri Rameshwar Thakur. I assure them that on both counts, we are paying attention to the possibilities. The possibilities are sometimes overrated in the immediate sense, but from the point of view of future exploitation, both are important areas and we are very much in touch with the latest development in these technologies. Sir, the question of royalty rates inevitably came up and I thought that at least one hon. Member would give us some credit for having reduced the period of revision of royalty from four to three years.

श्री विट्ठल भाई मोतीराम पटेल : हमने किया था ।

SHRI K. C. PANT: Yes, Patelji gave, I must thank him for that because I thought that this was a demand which the States had been making for some time and this being the House of Elders, representing the States, there would be a couple of words of thanks that we have responded to something which the States have felt to be important. But the other aspect is, how the royalty and the cesses are used. Jharia was referred to by Yadavji. I must ask him how the cesses are used by Bihar Government in Jharia. Is he satisfied with that? Shri Sahu also raised the point as to how royalty or cess was being used. So, I would request you to see that royalty and cesses which are levied on certain minerals are used for the purposes for which they are intended. To the extent

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that those purposes are not specified, I think there should be an attempt to specify them so that the money is directed towards certain purposes related at least to the mining area, related to the benefit of the people living there. Some such broad approach might help but this is something which the House as a whole will have to think about and I do not want to lay down any guidelines here on this occasion.

Shri Rameshwar Thakur referred to a point whether it would be retrospective or prospective. He knows that the Bill will take effect prospectively. So, there should be no confusion on that account.

So far as uranium minerals are concerned, I was surprised that two hon. Members referred to uranium minerals and one hon. Member said that we should become self-sufficient in uranium by exploiting the sea and winning uranium from sea. We are self-sufficient in uranium and we mine it. The mining is done in Bihar and we get the uranium we need. So, there is no lack of self-sufficiency in this respect.

Then there was a reference to Chitra Durga Copper Company by my friend Shri Hanumanthappa. I do not know the details of the point he made, but what he was saying is probably that concentrate prices should be increased. It has been lowered and, therefore, he wants it to be increased. I would have thought that this is a commercial matter and it should be left to the public undertaking but since he has raised the point I shall at least enquire into it as to whether it should be still left to the discretion of the public undertaking or a decision has to be taken by the House. Don't you think that it is a matter to be left to the public undertaking to decide?

SHRI H. HANUMANTHAPPA: Sir, Chitra Durga Copper Company is also a public undertaking run by the State Government and HCL is the buyer. The rate has been slashed from Rs. 9200 to Rs. 4500, 50 per cent. So, the company cannot survive. That is where I requested the hon. Minister to intervene.

SHRI K. C. PANT: I have made a note of what he has said and I hope he has made a note of what I have said That completes at least a large number of the points that were raised. I cannot possibly deal with all of them and I think we are approaching 6 O'clock and you will like to wind up this debate soon and pass this Bill.

I would like to end once again by thanking all the hon. Members for their support to the principles underlined in this Bill.

श्री राम अवधेश सिंह : क्या बिहार में माफिया को कण्ट्रोल करने के लिए आपके पास कुछ उपाय हैं ?

श्री कृष्ण चन्द्र पन्त : आप जिस ढंग से बोले, उससे तो लगता है कि जो भी कहूंगा, आपको संतुष्ट नहीं कर पाऊंगा ।

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill further to amend the Mines and Minerals (Regulation and Development) Act, 1957, be taken into consideration."

The motion was adopted

MR. DEPUTY CHAIRMAN: We shall now take up clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

Clause 3—Substitution of new section for section 4A.

MR. DEPUTY CHAIRMAN: We now take up clause 3 of the Bill. There is one amendment by Shri K. Vasudeva Panicker.

SHRI K. VASUDEVA PANICKER: (Orissa): Sir, I move:

"That at page 3, line 13, after the words 'mining operations' the words 'unless the State Government, on an application made by the lease holder before the lapse of the lease, for reasons to be recorded in writing allows the continuation of lease be inserted"

The question was proposed.

SHRI K. C. PANT: If I may say something, I accept in principle the amendment moved by Shri Panicker, but I would like to rephrase it. We consulted the Law Ministry and while the meaning is exactly

the same, the wording they have suggested is like this. I shall read it out, if you allow me.

I move:

"In page 3, line 13, insert the following at the end:

"Provided that the State Government may, on an application made by the holder of such lease before its expiry under this sub-section and on being satisfied that it will not be possible for the holder of the lease to undertake mining operations or to continue such operations for reasons beyond his control make an order, subject to such conditions as may be prescribed, to the effect that such lease shall not lapse."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN. Now Shri Pant to move certain consequential amendments.

SHRI K. C. PANT: Sir, as a consequence there will be some minor amendments in the other two provisos. So I move:

"That in page 2, in line 44, for 'provided that' read 'Provided further that'

In page 3, in line 3—

(a) for 'Provided further', read 'Provided also', and

(b) for 'the first', read 'the second'.

The questions were put and the motions were adopted.

MR. DEPUTY CHAIRMAN: Now the question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended was added to the *Bill.*

Clauses 4 to 17 were added to the Bill.

Clause 18—Substitution of the First Schedule by new Schedule

SHRI K. C. PANT: Sir, I move:

"That at page 9, after line 20, the following word and figure be inserted, namely:

'2. Asbestos.'"

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 18, as amended, stand part of the Bill."

The motion was adopted.

Clause 18, as amended, was added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI K. C. PANT: Sir, I move:

"That the Bill, as amended, be passed."

The question was proposed.

श्री जगदम्बी प्रसाद यादव : एक बात कहना चाहता हूं । जो मिनरल निकलते हैं वे देश के लिए समृद्धि का कारण बनते हैं, लेकिन जहां से निकलते हैं, बिहार के सभी क्षेत्रों से और हिन्दुस्तान के किसी भी क्षेत्र से वहां की आबादी सबसे गरीब है और उस आबादी में बहुसंख्या वनवासियों की है, पिछड़ों की है । जब सरकार माइन्स और मिनरल के हर तरीके से डेवलपमेंट की बात करती है तो उसका असर उन गरीबों पर भी पड़ता है । चाहे बिल हो, चाहे उसके एम्स ऐंड आब्जेक्ट्स हों, सरकार इस बात की व्याख्या नहीं करती है उनके सम्बन्ध में कुछ किया जाय । उस आबादी में इतनी भयावह गरीबी है कि खाने के लिए अनाज नहीं, पहनने के लिए कपड़ा नहीं, रहने के लिए घर नहीं, रोगी के लिए दवा नहीं । इस तरह से अपार और भयंकर गरीबी से पीड़ित समाज के लिए इस विधेयक में कुछ नहीं कहा गया है और मैंने इस बात को और अनेक सदस्यों ने इस बात को उठाया । लेकिन हमारे मंत्री महोदय ने इस पर कोई विचार इस विधेयक में नहीं किया है और इस विधेयक की जो प्रतिक्रिया होगी उस से भी उनका

[श्री जगदम्बी प्रसाद यादव]

कोई नफा नहीं होने वाला है। इस लिये मैं पुनः दोहराना चाहता हूं कि जब इस प्रकार का बिल है जिस में संपदा कमाने की बात है तो जहां से संपदा कमायी जायगी उस जंगल और पहाड़ पर रहने वालों के लिए यदि कोई चिन्ता नहीं दिखायी देती तो ऐसा लगता है कि जो ऊपर बैठ कर सोचने वाले हैं भले ही वे पंचवर्षीय योजना के कर्णधार हों या प्लानिंग कमीशन में बैठने वाले हों किसी ने उन की गरीबी पर ध्यान नहीं दिया, न उसे भोगा है और जब न उन को देखा है और न उस को भोगा है तो कानून में उनकी जगह नहीं होती। इस लिए मैं आप के माध्यम से सरकार और उस के तंत्र का ध्यान इस ओर ले जाना चाहता हूं कि जहां लाखों लाखों गरीब बसते हैं उन के रहने की जमीन से आप संपदा तो बटोर लेते हैं लेकिन बदले में उनको कुछ नही देते। तो क्या मंत्री जी इस ओर ध्यान देंगे।

श्री कृष्ण चन्द्र पन्त : उपसभापति जी, खनिज संपदा सारे देश की है, वह जहां भी पायी जाय और माननीय सदस्य भी इस बात को मानते है कि यह सही है कि बिहार में गरीबी है और अभाव है और इस लिये बिहार के उन भागों के लिए जहां गरीबी ज्यादा है ध्यान अवश्य जाना चाहिए। उन को और अधिक सुविधा मिलनी चाहिए। उस के लिए योजनाएं बननी चाहिए। इस में दो रायें नहीं हो सकतीं। मगर अगर आज कोयले के दाम बढ़ते हैं और उसके कारण सीमेंट के दाम बढ़ते हैं या दवायें जो बनती हैं उन के दाम बढ़ते हैं या कपड़ा बनाने पर ज्यादा खर्च होता है तो जिस अभाव की कमी जगदम्बी प्रसाद जी चाहते हैं, वह नहीं हो पायेगी। लोग खरीद नही पायेंगे उन चीजों को जिस से कि अभाव कम करने की प्रतिक्रिया शुरू होती है। तो गरीबी बनी रहेगी। गरीबी सरकार की आमदनी बढ़ने से दूर हो जाती तो शायद दूर हो गई होती। सारे देश में उद्योग बढ़े, एफीशियेंसी बढ़ी। कम खर्चे में कम लागत से हम चीजों को पैदा कर सकें और खास कर जो बुनियादी चीजें हैं जो सारे आर्थिक ढांचे की कीमतों को बनाने वाले हैं—चाहे वह कोयला हो या इस्पात हो अगर उन की कीमतों पर थोड़ी रोक हम रख सकें तो गरीबी हटाने में उस का कुछ योगदान हो सकता है। इस पहलू को बिलकुल नजर अंदाज कर देना देश के हित में नहीं होगा। मैं समझता हूं कि दोनों बातों में संतुलन होना चाहिए। इस लिए मैं आग्रह करूंगा कि जो बातें उन्होंने कही हैं और जो दृष्टिकोण मैंने रखा है इन दोनों को साथ साथ देखना देश के हित के लिए आवश्यक है।

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill as amended, be passed."

The motion was adopted.

ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN: I have to inform Members that the Business Advisory Committee at its meeting held today, the 24th July, 1986, allotted time for Government Legislative Business as follows:—

Business	Time allowed
1. Consideration and passing of the following Bills, as passed by the Lok Sabha:	
(a) The Dock Workers (Safety, Health and Welfare) Bill, 1985	2 hours
(b) The Sales Promotion Employees (Conditions of Service) Amendment Bill, 1985 . . .	2 hours
(c) The Industrial Finance Corporation (Amendment) Bill, 1986 . . .	2 hours
(d) The Research and Development Cess Bill, 1986 .	2 hours
2. Consideration and passing of the Essential Commodities (Amendment) Bill, 1986 .	2 hours

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